



**The Meeting Transcript of
The Los Angeles County
Board of Supervisors**



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1 [REPORT OF ACTION TAKEN IN CLOSED SESSION
2 ON OCTOBER 28, 2008 BEGINS ON PAGE 269.]

3

4

5

6 **SUP. BURKE, CHAIR:** WOULD EVERYONE PLEASE STAND? THE MEETING IS
7 COMING TO ORDER. THE INVOCATION WILL BE BY RABBI DAVID ESHEL
8 FROM WILSHIRE BOULEVARD TEMPLE. AND THE PLEDGE BY LARRY VAN
9 KURAN. IS HE HERE? NO. SO OUR PLEDGE WILL BE FROM THE
10 DEPARTMENT, ROBERT SAXON. RABBI?

11

12 **RABBI DAVID ESHEL:** GOD OF ALL GENERATIONS, WE ASK YOUR
13 BLESSING UPON OUR CITY. GUARD IT FROM CALAMITY AND INJURY. LET
14 JUSTICE SWELL UP AS WATERS AND RIGHTEOUSNESS AS A MIGHTY
15 STREAM. ENLIGHTEN WITH YOUR WISDOM AND SUSTAIN WITH YOUR POWER
16 THOSE WHOM THE PEOPLE HAVE SET IN AUTHORITY, ALL LEGISLATORS
17 AND OFFICIALS WHO ARE ENTRUSTED WITH OUR SAFETY AND WITH
18 UPHOLDING OUR RIGHTS AND LIBERTIES. MAY YOU SPREAD YOUR
19 BLESSINGS AMONG US AND EXALT OUR CITY WITH PEACE AND LET US
20 SAY AMEN.

21

22 **ROBERT SAXON:** PLEASE FACE THE FLAG AND FOLLOW ME IN THE PLEDGE
23 OF ALLEGIANCE. (PLEDGE RECITED). PLEASE BE SEATED AND THANK
24 YOU.

25



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1 **SUP. YAROSLAVSKY:** MADAME CHAIR, WE WERE LED IN THE INVOCATION
2 THIS MORNING BY RABBI DAVID ESHEL OF WILSHIRE BOULEVARD
3 TEMPLE. RABBI ESHEL JOINED THE WILSHIRE BOULEVARD TEMPLE
4 CLERGY AS A FULL-TIME RABBI IN THE SUMMER OF 2006. AS PART OF
5 HIS TRAINING, HE SERVED AS THE TEMPLE'S RABBINIC INTERN FROM
6 2004 TO 2006. AND HIS RESPONSIBILITIES INCLUDE SERVING AS
7 WILSHIRE BOULEVARD TEMPLE CAMP'S RABBI IN THE SUMMER, A
8 FACILITY RABBI FOR ALL WILSHIRE BOULEVARD TEMPLE SCHOOLS AND
9 ENGAGING ALL YOUNG FAMILIES OF THE TEMPLE COMMUNITY. RABBI
10 ESHEL HOLDS A BACHELOR'S DEGREE IN HISTORY FROM U.C.L.A., AS
11 WELL AS A MASTER'S IN ARTS IN JEWISH EDUCATION, RABBINICAL
12 ORDINATION FROM THE HEBREW UNION COLLEGE. RABBI ESHEL, THANK
13 YOU VERY MUCH FOR LEADING US IN THE INVOCATION THIS MORNING.

14
15 **CLERK SACHI HAMAI:** GOOD MORNING, MADAME CHAIR, MEMBERS OF THE
16 BOARD. WE WILL BEGIN TODAY'S AGENDA ON PAGE 3, AGENDA FOR THE
17 MEETING OF THE REGIONAL PARK AND OPEN SPACE DISTRICT, ITEMS 1-
18 P THROUGH 3-P.

19
20 **SUP. BURKE, CHAIR:** MOVED BY MOLINA. SECONDED BY YAROSLAVSKY.
21 WITHOUT OBJECTION, SO ORDERED.

22
23 **CLERK SACHI HAMAI:** PUBLIC HEARINGS, ITEMS 1 THROUGH 15. ON
24 ITEM NO. 7, AS INDICATED ON THE SUPPLEMENTAL AGENDA, THE CHIEF



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1 EXECUTIVE OFFICER REQUESTS THAT THIS ITEM BE REFERRED BACK TO
2 HIS OFFICE.

3

4 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.

5

6 **CLERK SACHI HAMAI:** ON ITEM NO. 8, AS INDICATED ON THE POSTED
7 AGENDA, THE REGISTRAR-RECORDER COUNTY CLERK REQUESTS THAT THIS
8 ITEM BE CONTINUED WITHOUT DISCUSSION TO NOVEMBER 12TH, 2008.

9

10 **SUP. YAROSLAVSKY:** WHICH ITEM IS THAT?

11

12 **CLERK SACHI HAMAI:** 7. EXCUSE ME, 8.

13

14 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, NO. 8 WILL BE CONTINUED.

15

16 **CLERK SACHI HAMAI:** ON ITEM NO. 14, AS INDICATED ON THE POSTED
17 AGENDA, SUPERVISOR ANTONOVICH REQUESTS THAT THIS ITEM BE
18 CONTINUED WITHOUT DISCUSSION TO NOVEMBER 5TH, 2008.

19

20 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, NOVEMBER 5TH.

21

22 **CLERK SACHI HAMAI:** THE REMAINING PUBLIC HEARING ITEMS WE WILL
23 HOLD FOR THE PUBLIC HEARING. ON PAGE 10, ADMINISTRATIVE
24 MATTERS, BOARD OF SUPERVISORS ITEMS 16 THROUGH 22. ON ITEM NO.
25 17, THERE IS A REQUEST FROM A MEMBER OF THE PUBLIC TO HOLD



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1 THIS ITEM. ON ITEM NO. 22, SUPERVISOR ANTONOVICH AND A MEMBER
2 OF THE PUBLIC REQUEST THAT THIS ITEM BE HELD. AND THE
3 REMAINING ITEMS ARE BEFORE YOU.

4

5 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY, SECONDED BY
6 ANTONOVICH; WITHOUT OBJECTION, SO ORDERED.

7

8 **CLERK SACHI HAMAI:** ON PAGE 11, CONSENT CALENDAR, ITEMS 23
9 THROUGH 33. ON ITEM 23, SUPERVISOR YAROSLAVSKY REQUESTS THAT
10 THIS ITEM BE CONTINUED TO NOVEMBER 5TH, 2008.

11

12 **SUP. BURKE, CHAIR:** 23, CONTINUED WITHOUT OBJECTION.

13

14 **CLERK SACHI HAMAI:** ON ITEM NO. 24, THERE'S A REQUEST FROM A
15 MEMBER OF THE PUBLIC TO HOLD THIS ITEM.

16

17 **SUP. BURKE, CHAIR:** WE'LL HOLD THAT.

18

19 **CLERK SACHI HAMAI:** THANK YOU. ON ITEM NO. 27, THE ACTING
20 DIRECTOR OF BEACHES AND HARBORS REQUESTS THAT THIS ITEM BE
21 REFERRED BACK TO HIS DEPARTMENT.

22

23 **SUP. BURKE, CHAIR:** ON 27, IT WILL BE REFERRED BACK WITHOUT
24 OBJECTION.

25



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1 **CLERK SACHI HAMAI:** ON ITEM NO. 31, AS INDICATED ON THE
2 SUPPLEMENTAL AGENDA, THE CHIEF EXECUTIVE OFFICER REQUESTS THAT
3 THIS ITEM BE CONTINUED ONE WEEK TO NOVEMBER 5TH, 2008.

4

5 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.

6

7 **CLERK SACHI HAMAI:** ON ITEM NO. 32, AS INDICATED ON THE
8 SUPPLEMENTAL AGENDA, THE CHIEF EXECUTIVE OFFICER REQUESTS THAT
9 THIS ITEM BE CONTINUED ONE WEEK TO NOVEMBER 5TH, 2008.

10

11 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.

12

13 **CLERK SACHI HAMAI:** ON ITEM NO. 33, THERE'S A REQUEST FROM A
14 MEMBER OF THE PUBLIC TO HOLD THIS ITEM. AND THE REMAINING
15 ITEMS ON THE CONSENT CALENDAR ARE BEFORE YOU.

16

17 **SUP. BURKE, CHAIR:** MOVED BY ANTONOVICH. SECONDED BY MOLINA.
18 WITHOUT OBJECTION, SO ORDERED.

19

20 **CLERK SACHI HAMAI:** ON PAGE 15, ORDINANCE FOR INTRODUCTION, ON
21 ITEM NO. 34, SUPERVISOR YAROSLAVSKY REQUESTS THAT THIS ITEM BE
22 CONTINUED TO NOVEMBER 5TH, 2008.

23

24 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, SO ORDERED.

25



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1 **CLERK SACHI HAMAI:** DISCUSSION ITEMS, ITEMS 35 THROUGH 37. ON
2 THESE ITEMS, AS INDICATED ON THE SUPPLEMENTAL AGENDA, THE
3 CHIEF EXECUTIVE OFFICER REQUESTS THAT THEY BE CONTINUED ONE
4 WEEK TO NOVEMBER 5TH, 2008. AND ON ITEM NO. 35, THERE'S A
5 REQUEST FROM A MEMBER OF THE PUBLIC TO HOLD THIS ITEM.

6

7 **SUP. BURKE, CHAIR:** ON ITEM 35, WE'LL HOLD IT. AND ON 35, 36
8 AND 37 WILL BE CONTINUED TO NOVEMBER 5TH.

9

10 **CLERK SACHI HAMAI:** THANK YOU.

11

12 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, SO ORDERED.

13

14 **CLERK SACHI HAMAI:** ON PAGE 16, MISCELLANEOUS ADDITIONS TO THE
15 AGENDA, WHICH WERE POSTED MORE THAN 72 HOURS IN ADVANCE OF THE
16 MEETING, AS INDICATED ON THE SUPPLEMENTAL AGENDA. ITEM 38-A.

17

18 **SUP. BURKE, CHAIR:** MOVED BY ANTONOVICH, SECONDED BY
19 YAROSLAVSKY. WITHOUT OBJECTION, SO ORDERED.

20

21 **CLERK SACHI HAMAI:** 38-B.

22

23 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY, SECONDED BY MOLINA,
24 WITHOUT OBJECTION, SO ORDERED.

25



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1 **CLERK SACHI HAMAI:** ON ITEM 38-C, WE WILL HOLD THIS FOR A
2 REPORT. ON PAGE 18, NOTICES OF CLOSED SESSION. ON ITEM CS-1
3 THERE'S A REQUEST FROM A MEMBER OF THE PUBLIC TO HOLD THIS
4 ITEM. AND THAT COMPLETES THE READING OF THE AGENDA. BOARD OF
5 SUPERVISORS SPECIAL ITEMS BEGIN WITH SUPERVISORIAL DISTRICT
6 NO. 4.

7

8 **SUP. BURKE, CHAIR:** SUPERVISOR ANTONOVICH, YOU WOULD BE UP
9 FIRST. OH, I'M SORRY. I HAVE ONE ITEM FROM PROTOCOL. I'D LIKE
10 TO INVITE HIS EXCELLENCY MR. M. HUMAYUN KABIR TO COME TO THE
11 DAIS. HE IS THE AMBASSADOR OF BANGLADESH. HE IS HERE FROM
12 WASHINGTON. HE TOOK HIS POST LAST YEAR. AMBASSADOR KABIR IS AN
13 ACCOMPLISHED DIPLOMAT. HE HAS BEEN HIGH COMMISSIONER OF
14 BANGLADESH TO AUSTRALIA, NEW ZEALAND AND FIJI. HE HAS BEEN
15 AMBASSADOR TO NEPAL AND HAS BEEN IN THE COUNTRY'S PERMANENT
16 MISSION TO THE UNITED NATIONS. HE HAS SERVED ON HIGH-LEVEL
17 DELEGATIONS IN SOUTH AMERICA AND IN SCANDINAVIA, AND ALSO HAS
18 BEEN A MEMBER OF THE FACULTY OF A THE UNIVERSITY OF DAKAR,
19 LECTURING IN POLITICAL SCIENCE AND LAW. HE IS THE AUTHOR OF
20 NUMEROUS WORKS ON DIPLOMACY, WITH PARTICULAR FOCUS ON
21 MULTILATERAL, PUBLIC, AND U.N. PEACEKEEPING DIPLOMACY. HE
22 SPEAKS ENGLISH, FRENCH, HINDU, NEPALI, AS WELL AS HIS NATIVE
23 BENGALI AND BANGOG. HE'S MARRIED AND HAS TWO SONS AND HE
24 MANAGES TO FIND TIME TO PLAY TENNIS, GOLF, READING, AND
25 LISTENING TO MUSIC. AND ON BEHALF OF THE COUNTY'S 10 MILLION



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1 PEOPLE, WE WELCOME YOU AND CERTAINLY ARE VERY HONORED THAT YOU
2 WOULD JOIN US HERE IN LOS ANGELES. WOULD YOU SAY A WORD TO US?

3

4 **M. HUMAYUN KABIR:** HONORABLE MADAME CHAIR, HONORABLE
5 SUPERVISORS, OFFICIALS OF THE COUNTY, DISTINGUISHED MEMBERS IN
6 THE AUDIENCE. I AM REALLY HONORED TO HAVE THIS OPPORTUNITY TO
7 COME HERE AND RECEIVE A NOTATION FROM THE COUNTY BOARD OF
8 SUPERVISORS. THIS IS NOT ONLY AN HONOR FOR ME, I THINK THE LOS
9 ANGELES COUNTY HAS SHOWN ITS RESPECT FOR THE PEOPLE OF
10 BANGLADESH THROUGH THIS VERY GRACIOUS ACT. AND I THANK YOU.
11 AND I EXPRESS A DEEP SENSE OF APPRECIATION FROM ALL MY
12 COLLEAGUES FOR THIS KIND SUPPORT TO THE PEOPLE OF BANGLADESH.
13 AS YOU KNOW, LIKE THE UNITED STATES, BANGLADESH IS ALSO
14 HEADING TOWARDS AN ELECTION. WE WILL HAVE OUR PARLIAMENTARY
15 ELECTIONS ON 18TH OF DECEMBER. ALL ARRANGEMENTS ARE BEING MADE
16 TO HAVE THE ELECTIONS ON THAT DAY SUCCESSFULLY. AND AS YOU
17 KNOW, BANGLADESH AND THE UNITED STATES ARE FRIENDLY PARTNERS
18 IN OUR COMMON OBJECTIVES TO PURSUE PEACE, SECURITY, AND
19 DEVELOPMENT. AND BANGLADESH ON ITS OWN HAS BEEN TRYING TO
20 FIGHT THE POVERTY THAT IS STALKING THE WORLD AT THIS TIME. AND
21 I THINK THAT THE UNITED STATES CAN JOIN HANDS TO FIGHT THE
22 POVERTY IN BANGLADESH AND IN THE WORLD. AND YOU'LL BE HAPPY TO
23 KNOW THAT IN BANGLADESH, WE ARE TRYING TO FIGHT POVERTY
24 THROUGH OUR HOME-GROWN STRATEGY. AND YOU MUST HAVE HEARD ABOUT
25 THE MICRO-CREDIT THAT HAS EMPOWERED 20 MILLION WOMEN IN



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1 BANGLADESH WHO ARE THE REAL FOOT SOLDIERS OF SOCIAL
2 MODERNIZATION IN BANGLADESH. AND THAT MODEL IS BEING NOW
3 REPLICATED AROUND 150 COUNTRIES IN THE WORLD. BANGLADESH, AS
4 YOU KNOW, IS ALSO FACING A LOT OF COMMON CHALLENGES THAT THE
5 WHOLE WORLD IS FACING. FOR EXAMPLE, WE ARE FACING THE IMPACT
6 OF THE CLIMATE CHANGE. WE ARE TRYING TO DO THINGS ON OUR OWN
7 TO MANAGE THAT PROBLEM, BUT I BELIEVE THAT IT WOULD BE GOOD IF
8 THE UNITED STATES AND THE INTERNATIONAL COMMUNITY COULD JOIN
9 HANDS SO THAT BANGLADESH COULD BE A MODEL FOR SUCCESSFUL
10 IMPLEMENTATION OF THE ADAPTATION STRATEGY TO DEAL WITH THE
11 CLIMATE CHANGE ISSUE. I THINK BANGLADESH AND THE UNITED STATES
12 CAN CONTINUE TO WORK TOGETHER, AND WE WOULD WILL HAVE TO WORK
13 TOGETHER WITH LOS ANGELES COUNTY ALSO. THANK YOU VERY MUCH,
14 MADAME.

15

16 **SUP. BURKE, CHAIR:** THANK YOU. WE'D LIKE TO HAVE A PICTURE WITH
17 ALL THE MEMBERS OF THE BOARD. [APPLAUSE.]

18

19 **SUP. BURKE, CHAIR:** ALL RIGHT. SUPERVISOR ANTONOVICH.

20

21 **SUP. ANTONOVICH:** AT THIS TIME I'D LIKE TO RECOGNIZE FOR AN
22 INTRODUCTION MARK COVERT, HIS WIFE, DEBORAH, IS WITH HIM. FOR
23 EVERY DAY FOR THE PAST 40 YEARS, MARK HAS RUN ONE MILE. THE
24 LONGEST RUNNING STREAK IN THE UNITED STATES. THIS BEGAN JULY
25 23RD, 1968, THE SUMMER BEFORE HIS FRESHMAN SEASON AT LOS



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1 ANGELES VALLEY COMMUNITY COLLEGE, WHERE HE HAS AWAKENED EARLY,
2 LACED UP HIS RUNNING SHOES, AND VENTURED OUT FOR A LENGTHY
3 RUN. WHAT BEGAN AS A WAY TO TRAIN FOR COLLEGIATE CROSS COUNTRY
4 TURNED INTO A PURE ENTERTAINMENT AND BECAME A LIFESTYLE. BY
5 THE NUMBER, HE HAS RUN OVER 140,000, MILES OR THE EQUIVALENT
6 OF 5.6 TRIPS AROUND THE WORLD FOR OVER 14,600 DAYS. ON AN
7 AVERAGE, HE RUNS NEARLY 10 MILES A DAY, WITH HIS LONGEST
8 SINGLE DAY OF 52 MILES. HE'S RUN THROUGH ALL THE NORMAL
9 INJURIES AND ILLNESSES THAT AFFECT US ALL. HE RAN WITH A
10 BROKEN FOOT. RAN ON A CRUISE SHIP. RAN ON DAYS OF PERSONAL
11 TRAGEDY SUCH AS A DEATH OF A PARENT. AND ON THE DAYS OF
12 PERSONAL JOY SUCH AS HIS WEDDING DAY. I BET SHE ENJOYED THAT.
13 AND THE BIRTH OF HIS CHILDREN. HIS ON FIELD ACCOLADES INCLUDE
14 THE 1970 INDIVIDUAL DIVISION CROSS COUNTRY CHAMPIONSHIP, A
15 TEAM CHAMPIONSHIP WITH CALIFORNIA STATE UNIVERSITY, FULLERTON.
16 TWO COMMUNITY COLLEGE STATE TITLES. HE ALSO NEARLY QUALIFIED
17 FOR THE 1972 OLYMPIC GAMES IN THE MARATHON, PLACING SEVENTH.
18 THAT ACCOMPLISHMENT SECURED HIS PLACE IN HISTORY BY BECOMING
19 THE FIRST RUNNER TO CROSS THE FINISH LINE IN A PAIR OF NIKE
20 WAFFLE-SOLE SHOES. THE DRIVE TO COMPETE HASN'T GONE ANYWHERE.
21 THE SAME RUNNER WHO ONCE TRAVERSED 52 MILES IN A DAY NOW GETS
22 HIS COMPETITIVE EDGE BY RUNNING IN THE FRIGID MORNING HOURS OF
23 THE ANTELOPE VALLEY AND BY COACHING FUTURE ATHLETES. HE'S BEEN
24 THE TRACK AND FIELD COACH AT ANTELOPE VALLEY COLLEGE SINCE
25 1990. EACH OF THE 19 SEASONS AT THE COLLEGE, HE HAS SEEN AT



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1 LEAST ONE OF HIS ATHLETES ADVANCE TO THE STATE MEET. SO, MARK,
2 CONGRATULATIONS. DID YOU RUN FROM THE ANTELOPE VALLEY TODAY OR
3 DID YOU TAKE THE 14?

4

5 **MARK COVERT:** WE WENT THE 14.

6

7 **SUP. ANTONOVICH:** WENT THE 14. CONGRATULATIONS.

8

9 **MARK COVERT:** QUICK THANK YOU TO SUPERVISOR ANTONOVICH. 40
10 YEARS DOING THIS IS A LONG TIME. IT'S OBVIOUSLY NOT A MARK OF
11 INTELLIGENCE. [LAUGHTER.] BUT IT'S SOMETHING THAT I ENJOY
12 DOING, LACING UP MY SHOES AND GOING OUT FOR A RUN EVERY DAY.
13 WE ALL LIKE TO BE RECOGNIZED. AND THIS IS A VERY NICE DAY FOR
14 ME. I APPRECIATE IT. AND THANK YOU VERY MUCH. [APPLAUSE.]

15

16 **SUP. ANTONOVICH:** NOW WE WOULD LIKE TO RECOGNIZE MARVE POWERS.
17 MARVE AND HIS DAUGHTER, VICKY INGER AND MARY HARVEY, AND KATHY
18 AND JOE DIORO, YOUR FRIENDS. AT AGE 80, STILL A MARATHON
19 RUNNER, HAS SPENT MOST OF HIS FREE TIME OVER THE PAST 20 YEARS
20 MAINTAINING LOCAL SELECTION OF THE PACIFIC CREST TRAIL. MOSTLY
21 HE STICKS TO A FIVE-MILE STRETCH NEAR HIS GREEN VALLEY SOUTH
22 OF LAKE HUGHES. HE HAS ALSO HELPED OUT ON THE TRAIL ALONG 15
23 TO 20 MILES OF THE TRAIL STRETCHING ALL THE WAY TO AGUA DULCE.
24 THIS SUMMER, THE PACIFIC CREST TRAIL ASSOCIATION, WHICH HELPS
25 MONITOR AND MAINTAIN THE MEXICO-TO-CANADA FOOT PATH HONORED



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1 MARVE WITH THIS AWARD OF MERIT AND RECOGNITION OF HIS YEARS OF
2 FILLING SANDBAGS, BUILDING RETAINING WALLS, TRIMMING BRANCHES,
3 RAKING THE TRAIL SMOOTH, AND DIGGING OUT PRICKLY SCRUB OAK
4 ROOTS. A FIRM BELIEVER THAT YOU MUST WORK AND EXERCISE EVERY
5 DAY OR YOU DECAY, HIS WEEKLY ROUTINE GOES SOMETHING LIKE THIS:
6 MONDAY, WEDNESDAY, FRIDAY AND SUNDAY, RUN THREE TO FIVE MILES.
7 THURSDAY RUN SIX MILES ON THE PACIFIC CREST TRAILS AND WORK ON
8 THE TRAIL FOR ABOUT SEVEN HOURS. SATURDAY, IT'S 10 MILES ON
9 THE TRAIL. AND BEFORE HE MOVED TO LANCASTER AND STARTED
10 WORKING AT EDWARDS AIR FORCE BASE HE HAD A JOB AT UNION
11 PACIFIC RAILROAD REPAIRING STEAM ENGINES. IN 2003 HE WAS
12 DIAGNOSED WITH COLON CANCER, BUT DURING HIS MONTHS OF
13 CHEMOTHERAPY, HE STILL CONTINUED TO RUN. ON CHEMO DAYS HE
14 WOULD RUN THREE MILES. ON NON-CHEMO DAYS, HE AND HIS SON WOULD
15 RUN SEVEN MILES. SURE ENOUGH, HE MADE IT THROUGH. HE GOES TO
16 THE HOSPITAL TWICE A FOR CHECKUPS BUT THE CANCER HAS NOT
17 RETURNED. HE ASSURED ME THAT HE WILL CONTINUE RUNNING AND
18 CONTINUES WORKING ON THE TRAIL FOR AS LONG AS HE CAN. SO THE
19 COUNTY WANTS TO COMMEND YOU FOR BEING A VERY TREMENDOUS ROLE
20 MODEL. WE'RE PROUD OF THE TYPE OF LEADERSHIP THAT WE HAVE IN
21 THE ANTELOPE VALLEY AND LOS ANGELES COUNTY AND FOR MAINTAINING
22 OUR TRAILS FROM MEXICO TO CANADA THROUGH LOS ANGELES AND
23 CALIFORNIA. WE WANT TO GIVE YOU THIS PROCLAMATION FOR ALL YOUR
24 ACCOMPLISHMENTS AND DEDICATION. [APPLAUSE.]

25



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1 **MARVE POWERS:** THANK YOU ALL. I WOULD LIKE TO INVITE ANY ONE OF
2 YOU THAT GETS IN THE LANCASTER AREA TO CALL ME. I'M STILL IN
3 THE PHONE BOOK. COME OUT AND JOIN ME ON THE TRAIL. IT AIN'T
4 CROWDED OUT THERE.

5

6 **SUP. ANTONOVICH:** ONE OF THE TOP MOVIES THE PAST MONTH HAS BEEN
7 A LITTLE CHIHUAHUA. TODAY WE HAVE MILO, WHO'S PROBABLY A
8 COUSIN OF THE STAR. HE'S TWO YEARS OLD. MILO'S LOOKING FOR A
9 HOME. AND YOU CAN ADOPT LITTLE MILO. YOU CAN CALL 562-728-
10 4644. NOW, THE CHIHUAHUA FACE, BUT THE MIX COULD BE A LITTLE
11 DOCKSY OR SOMETHING CLOSE TO THAT. HE'S LOOKING FOR A HOME. SO
12 ANYBODY WHO WOULD LIKE TO ADOPT MILO. HE'D PROBABLY WANT TO GO
13 ON THOSE TRAILS, GO FROM MEXICO TO CANADA. WOULD YOU LIKE
14 THAT? NO FIRE HYDRANTS, THOUGH. ANYWAY, ANYBODY WHO WOULD LIKE
15 TO ADOPT LITTLE MILO. MARIA? THANK YOU.

16

17 **SUP. BURKE, CHAIR:** SUPERVISOR MOLINA, DO YOU HAVE ANY ITEMS?
18 I'D LIKE TO CALL FORWARD THE "DEFINE YOUR IMAGE" PROGRAM
19 COMMITTEE, WHOSE MEMBERS REPRESENT L.A. COUNTY PARKS AND
20 RECREATION, D.P.S.S., L.A.C.O.E. AND D.H.S. "DEFINE YOUR
21 IMAGE" IS A UNIQUE ONE-YEAR PILOT PROGRAM DESIGNED TO PROVIDE
22 MEN AND WOMEN RECEIVING GOVERNMENT ASSISTANCE IN THE SECOND
23 DISTRICT WITH SELF-IMPROVEMENT AND JOB SKILLS. THEY HAVE
24 WORKSHOPS THAT ASSIST THEM AS THEY INTEGRATE INTO THE LABOR
25 WORKFORCE. THE PROGRAM IS A SPIN OFF OF THE COUNTY PARK AND



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1 RECREATION ADOPT-A-PARK PROGRAM, WHERE IT SPONSORS SAN
2 FRANCISCO-BASED BENEFITS COSMETICS, RETURN TO TEACH MAKEUP
3 APPLICANTS TO PARTICIPANTS. THERE ARE A NUMBER OF WORKSHOPS
4 OFFERED WITH OVER 15 LOCAL COMPANIES PARTICIPATING. PROGRAM
5 APPLICANTS ARE CHOSEN BY THE "DEFINE YOUR IMAGE" COMMITTEE.
6 APPLICANTS WRITE A SHORT BIOGRAPHY, AN ESSAY ON HOW THEY FEEL
7 THE PROGRAM WILL IMPACT THEIR LIVES. THE PROGRAM IS AN
8 EXCELLENT OPPORTUNITY FOR PARTICIPANTS TO BOOST THEIR SELF-
9 ESTEEM THROUGH MAKEOVERS AS WELL AS OBTAINING NEEDED
10 RESOURCES. THE HEALTH AND NUTRITION COMPONENT OF THE PROGRAM
11 IS PROVIDED BY THE LOS ANGELES COUNTY PARK AND RECREATION
12 DEPARTMENT WHAT'S ON THE INSIDE HEALTHY PROGRAM. THROUGH THE
13 HEALTH AND NUTRITION COMPONENT, PARTICIPANTS LEARN HEALTHY
14 ALTERNATIVES, EATING HABITS, EATING HEALTHY ON A BUDGET,
15 VARIOUS FOOD PREPARATION, EXERCISE AND PREVENTIVE HEALTHCARE
16 MAINTENANCE. THIS IS A PROGRAM I HAVE NO DOUBT WILL SURVIVE
17 WITHIN OUR COMMUNITIES AND BREAK THE CYCLE OF WELFARE
18 DEPENDENCY BY GIVING PARTICIPANTS THE TOOLS THEY NEED TO
19 BECOME GAINFULLY EMPLOYED AND FINANCIALLY RESPONSIBLE FOR
20 THEMSELVES AND THEIR FAMILIES. AND I ALSO HAVE TO ADD, ALSO
21 THERE WAS A DRESS FOR SUCCESS THAT PROVIDES CLOTHES, AS WELL.
22 AND SO ANYONE OUT THERE, YOU PEOPLE WHO WANT TO TRY TO
23 PARTICIPATE IN THIS PROGRAM. EVERYONE CAN PARTICIPATE BECAUSE
24 YOU HAVE SOME WONDERFUL PEOPLE WHO GET INVOLVED, WHO ARE
25 INTERESTED IN REALLY MOVING INTO A JOB AND HELPING THEMSELVES.



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1 BUT WE'RE SO PLEASED THAT WE HAVE THESE ACTIVE DEPARTMENTS
2 THAT ARE WORKING TO MOVE TOGETHER. THAT'S ONE OF THOSE THINGS
3 THAT WE ARE SO PLEASED WITH. SO IT'S WITH GREAT PLEASURE THAT
4 I PRESENT THESE SCROLLS TO ALL OF THE "DEFINE YOUR IMAGE"
5 ORGANIZING MEMBERS. AND WHO'S GOING TO SPEAK? YES, I KNOW.
6 OKAY. HERE YOU GO.

7

8 **MARITIZA WASHINGTON:** GOOD MORNING. MY NAME IS MARITIZA
9 WASHINGTON, AND I'M THE MARKETING ANALYST FOR PARKS AND
10 RECREATION. WE WOULD LIKE TO THANK SUPERVISOR BURKE FOR
11 ALLOWING US TO PARTNER WITH HER ON BOTH THE ADOPT A PARKS
12 SPONSORSHIP PROGRAM AND THE "DEFINE YOUR IMAGE PROGRAM" IN THE
13 SECOND DISTRICT. AND OUR MANY THANKS TO THE DIRECTOR OF PARKS
14 AND RECREATION, RUSS GUINEY, AND JOHN WICKER, THE CHIEF
15 DEPUTY. AND ALSO THE PARTICIPATING COUNTY HEADS. PHILIP
16 BROWNING OF D.P.S.S., MARY WILLIAMS OF L.A.C.O.E., FOR
17 ALLOWING THE COMMUNITY MEMBERS TO SPEND THE TIME NEEDED TO
18 IMPLEMENT SUCH AN IMPORTANT PROGRAM SUCH AS "DEFINE YOUR
19 IMAGE." AND, FINALLY, A LOT OF THE HARD WORK HAS GONE INTO THE
20 COORDINATION OF THIS PROGRAM WITH A SPECIAL THANKS TO ALL OUR
21 "DEFINE YOUR IMAGE" COMMITTEE MEMBERS. THEY INCLUDE BARRY
22 BANKS, SUSAN TIE FORD, MARTHA CURRY, MARIA DEL VALLE, MARIA
23 HUNT, VIVIAN CARDOZA, JIM CALLAHAN, PATRICIA SIMPSON, BETTY
24 ROBINSON, LA TONYA STEVENSON, HARLEY LOPEZ, JESSE LUNAMAN, LUZ
25 ROSS, ANGELA RENKSHEY, ONIKA ROSS, JESSICA GALLO VALDEZ,



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 FLORIA GRIFFENS, SANJE NOVARRO, YVETTE MOFFIS FROM PARKS AND
2 RECREATION AND ALSO WE HAVE WITH US TODAY LINDA DANIELS
3 REPRESENTING CAMBRIA HOME CARE, AND ALSO PARKS AND RECREATION
4 RECRUITMENT AND RECORD DEPARTMENT. THANK YOU VERY MUCH FOR ALL
5 YOUR SUPPORT.

6

7 **SUP. BURKE, CHAIR:** THANK YOU. THEY DO A GREAT JOB. AND WE HAVE
8 TO COMMEND THEM. IS THERE ANYONE ELSE WHO'S GOING TO SPEAK?
9 ANYONE FROM THE DEPARTMENT WANT TO SAY ANYTHING? HE'S OVER
10 THERE HIDING.

11

12 **SPEAKER:** MOST OF THE PARTICIPANTS THAT PARTICIPATED IN THIS
13 PROGRAM, IT WAS ENLIGHTENING AND QUITE AN EXPERIENCE. THEY GOT
14 A COMPLETE MAKEOVER. THEY HAD A DAY FULL OF WORKSHOPS. MOST OF
15 THEM REALLY ENJOYED IT. AND TO DATE WE HAVE ONE THAT HAS BEEN
16 GAINFULLY EMPLOYED WITH -- WHO WAS THAT? LYNWOOD UNIFIED
17 SCHOOL DISTRICT AS A PART-TIME TEACHER. THANK YOU.

18

19 **SUP. BURKE, CHAIR:** LET'S GIVE THEM A BIG ROUND OF APPLAUSE.
20 [APPLAUSE.]

21

22 **JOHN WICKER:** WELL, THANK YOU. I JUST WANTED TO SAY A FEW
23 WORDS, TOO, AND TO CONGRATULATE ALL OF OUR EMPLOYEES AND STAFF
24 FROM ALL THE DEPARTMENTS FOR THE GREAT JOB THEY DID ON THIS.
25 THE "DEFINE YOUR IMAGE" PROGRAM IS A COMPONENT OF ADOPT-A-PARK



**The Meeting Transcript of
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1 SPONSORSHIP PROGRAM, WHICH WAS CREATED BY SUPERVISOR BURKE FOR
2 CORPORATIONS TO ADOPT NEW OR EXISTING PARKS. AND IT'S BEEN A
3 VERY SUCCESSFUL PROGRAM. BENEFIT COSMETICS OFFICIALLY ADOPTED
4 JESSE OWENS PARK IN APRIL OF 2008. AS PART OF THE ADOPTION,
5 BENEFIT COSMETICS BEAUTIFIED THE PARK THROUGH PLANTINGS OF
6 PLANTS AND FLOWERS AND VARIOUS TREES AND THINGS OF THAT
7 NATURE, AS WELL AS PROVIDING BENCHES AND ADDING SOME TRUE
8 ASSET TO THE PARK, AS WELL. THIS PAST SEPTEMBER, BENEFITS
9 COSMETICS CONTINUED THE COLLABORATION WITH PARKS AND
10 RECREATION AND PROVIDED MAKEOVERS TO PARTICIPANTS OF THE GROW
11 PROGRAM. THAT'S THE GENERAL RELIEF OPPORTUNITY FOR WORK
12 PROGRAM. THE DEPARTMENT'S PUBLIC SOCIAL SERVICES COUNTY OFFICE
13 OF EDUCATION, DEPARTMENT OF MENTAL HEALTH, OUR LOS ANGELES
14 COUNTY PARK FOUNDATION AND COUNTY PARKS ALL WORK TOGETHER ON
15 THIS COLLABORATIVE PROJECT. AND ALL OF THE STAFF THAT ARE HERE
16 WORK DILIGENTLY TO MAKE THIS A SUCCESSFUL PROGRAM. AND I THINK
17 IT'S TRULY BENEFITING OUR GROW PARTICIPANTS. ON MONDAY,
18 NOVEMBER 17TH, AT 9:30, BARBARA WALDEN COSMETICS WILL SPONSOR
19 THE NEXT "DEFINE YOUR IMAGE" PROGRAM. SO I INVITE EVERYBODY TO
20 COME ON OUT TO THAT PROGRAM, AS WELL. AND MARITIZA WASHINGTON,
21 AS YOU HEARD HER SPEAK SO ELOQUENTLY A MINUTE AGO, HAS BEEN A
22 GREAT REPRESENTATIVE FOR OUR DEPARTMENT. WE'RE VERY PROUD OF
23 ALL OF HER EFFORTS TO PULL THIS PROGRAM TOGETHER. SHE ACTIVELY
24 SEEKS OUT SPONSORSHIPS FOR THE PARKS AND WORKED VERY CLOSELY
25 WITH BENEFIT COSMETICS TO ENCOURAGE THEIR INVOLVEMENT IN THIS



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1 GROW PROGRAM. SO I'D LIKE TO PERSONALLY SAY THANKS TO MARITIZA
2 AND ALL OF OUR PARTICIPANTS AND STAFF THAT WORKED SO
3 DILIGENTLY ON THIS. THANK YOU ALL.

4

5 **SUP. BURKE, CHAIR:** THANK YOU. WE'RE GOING TO GET A PICTURE
6 HERE. THANK YOU. THAT CONCLUDES MY PRESENTATIONS. SUPERVISOR
7 YAROSLAVSKY?

8

9 **SUP. YAROSLAVSKY:** I HAVE NONE.

10

11 **SUP. BURKE, CHAIR:** NO PRESENTATIONS, ALL RIGHT.

12

13 **CLERK SACHI HAMAI:** WE'LL BEGIN THE MEETING WITH THE PUBLIC
14 HEARING ITEMS. AND ALL THOSE WHO PLAN TO TESTIFY BEFORE THE
15 BOARD ON ANY OF THE PUBLIC HEARING ITEMS, ITEMS 1 THROUGH 15,
16 PLEASE STAND AND RAISE YOUR RIGHT HAND TO BE SWORN IN. IN THE
17 TESTIMONY YOU MAY GIVE BEFORE THIS BOARD, DO YOU SOLEMNLY
18 AFFIRM TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE
19 TRUTH SO HELP YOU GOD? THANK YOU. YOU MAY BE SEATED. WE WILL
20 START WITH ITEM NO. 1. AND THIS IS A HEARING TO PURCHASE
21 120,000 SQUARE FOOT WAREHOUSE FACILITY AND 5.7 ACRES OF LAND
22 ON PROPERTY LOCATED AT 16610 CHESTNUT STREET IN THE CITY OF
23 INDUSTRY FROM THE FEE SIMPLE OWNER, P.H.D. PROPERTY INC. IN
24 AMOUNT OF \$13,650,000 PLUS TITLE AND ESCROW FEES IN AN
25 APPROXIMATE AMOUNT OF \$20,000 TO ACCOMMODATE THE TREASURER AND



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1 TAX COLLECTOR'S PUBLIC ADMINISTRATOR DECEDENT PERSONAL
2 PROPERTY WAREHOUSING PROGRAM. THERE IS NO DEPARTMENTAL
3 STATEMENT ON THIS MATTER AND NO CORRESPONDENCE WAS RECEIVED.

4

5 **SUP. BURKE, CHAIR:** ALL RIGHT. MOVED BY SUPERVISOR MOLINA,
6 SECONDED BY SUPERVISOR YAROSLAVSKY. WITHOUT OBJECTION, ITEM 1
7 IS APPROVED.

8

9 **CLERK SACHI HAMAI:** ON ITEM NO. 2, THIS IS THE HEARING ON
10 ANNEXATION OF TERRITORY TO COUNTY LIGHTING DISTRICT LLA-1,
11 DIAMOND BAR ZONE CONFIRMING A DIAGRAM AND ASSESSMENT AND
12 LEVYING OF ASSESSMENTS WITHIN THE ANNEXED TERRITORY FOR FISCAL
13 YEAR 2009-10. THERE IS A DEPARTMENT STATEMENT ON THIS MATTER
14 AND NO CORRESPONDENCE WAS RECEIVED.

15

16 **DAVID STRINGER:** I'M A SENIOR CIVIL ENGINEER WITH LOS ANGELES
17 COUNTY DEPARTMENT OF PUBLIC WORKS.

18

19 **SUP. YAROSLAVSKY:** HANG ON. IT'S NOT ON.

20

21 **DAVID STRINGER:** OKAY. THANK YOU. MY NAME IS DAVID STRINGER,
22 I'M A SENIOR CIVIL ENGINEER FOR THE DEPARTMENT OF PUBLIC
23 WORKS. I'M FAMILIAR WITH THE PROCEEDINGS FOR THE ANNEXATION TO
24 LIGHTING MAINTENANCE DISTRICT 1006 AND COUNTY LIGHTING
25 DISTRICT LLA-1, DIAMOND BAR ZONE AND THE LEVYING AND



**The Meeting Transcript of
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1 COLLECTION OF ASSESSMENTS FOR 163 PARCELS THAT ARE INTENDED TO
2 BE ANNEXED TO THE CITY OF DIAMOND BAR. THE INVOLVED CITY HAS
3 GRANTED ITS CONSENT AND JURISDICTION. IN MY OPINION, THESE
4 PARCELS WILL BE BENEFITED BY THE ANNEXATION AND THE SERVICE TO
5 BE PROVIDED AND THE PROPOSED ASSESSMENTS HAVE BEEN SPREAD IN
6 PROPORTION TO BENEFIT.

7

8 **CLERK SACHI HAMAI:** MADAME CHAIR, MEMBERS OF THE BOARD, IT
9 WOULD BE APPROPRIATE AT THIS TIME TO CLOSE THE HEARING, DIRECT
10 THE TABULATION OF BALLOTS AND TABLE THE ITEM UNTIL LATER IN
11 THE MEETING FOR TABULATION RESULTS AND ACTION BY YOUR BOARD.

12

13 **SUP. BURKE, CHAIR:** I SO MOVE. SECONDED BY SUPERVISOR
14 YAROSLAVSKY. WE'LL COME BACK TO THAT.

15

16 **CLERK SACHI HAMAI:** THANK YOU. ON ITEM NO. 3, THIS IS A HEARING
17 ON ANNEXATION OF PARCEL 201-08 TO THE CONSOLIDATED SEWER
18 MAINTENANCE DISTRICT WITHIN THE CITY OF LA CANADA-FLINTRIDGE
19 AND THE LEVYING OF ASSESSMENTS WITHIN THE ANNEXED PARCEL FOR
20 FISCAL YEAR 2009-10. THERE IS A DEPARTMENT STATEMENT ON THIS
21 MATTER. NO CORRESPONDENCE WAS RECEIVED.

22

23 **NICHOLAS AGBOBU:** MY NAME IS NICHOLAS AGBOBU, I'M A SENIOR
24 CIVIL ENGINEER FOR THE DEPARTMENT OF PUBLIC WORKS. I'M
25 FAMILIAR WITH THIS -- MY NAME IS NICHOLAS AGBOBU, AND I'M A



**The Meeting Transcript of
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1 SENIOR CIVIL ENGINEER FOR THE DEPARTMENT OF PUBLIC WORKS. I'M
2 FAMILIAR WITH THESE PROCEEDINGS FOR THE ANNEXATION FOR THE
3 CONSOLIDATED SEWER MAINTENANCE DISTRICT OF AND LEVY OF SEWER
4 SERVICE CHARGES TO PARCEL 201-08 IDENTIFIED IN THE BOARD
5 LETTER WHICH IS LOCATED IN THE CITY OF LA CANADA- FLINTRIDGE.
6 THE CITY HAS GRANTED ITS CONSENT AND JURISDICTION. IN MY
7 OPINION, PARCEL 201-08 WILL BE BENEFITED BY THE ANNEXATION TO
8 THE DISTRICT AND BY THE SERVICE TO BE PROVIDED. IN MY OPINION,
9 THE SEWER SERVICE CHARGES HAVE BEEN FAIRLY IMPOSED

10

11 **SUP. BURKE, CHAIR:** ALL RIGHT. IT'S MOVED BY SUPERVISOR
12 ANTONOVICH THAT THE HEARING BE CLOSED. SECONDED BY SUPERVISOR
13 YAROSLAVSKY. WITHOUT OBJECTION, THE HEARING IS CLOSED. AND
14 WITHOUT OBJECTION, THIS ITEM IS APPROVED.

15

16 **CLERK SACHI HAMAI:** ON ITEM NO. 4, THIS IS THE HEARING ON THE
17 INCREASE TO THE MAXIMUM AND MINIMUM TICKET PRICES PROPOSED BY
18 THE LOS ANGELES PHILHARMONIC ASSOCIATION FOR THE 2009
19 HOLLYWOOD BOWL SEASON. THERE IS NO DEPARTMENT STATEMENT ON
20 THIS AND NO CORRESPONDENCE WAS RECEIVED.

21

22 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY, SECONDED BY
23 ANTONOVICH. WITHOUT OBJECTION, SO ORDERED.

24



**The Meeting Transcript of
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1 **CLERK SACHI HAMAI:** ON ITEM NO. 5, THIS IS A HEARING ON
2 APPROVAL OF BILLING RATE CHANGES BY THE DEPARTMENT OF HEALTH
3 SERVICES FOR INPATIENT AND OUTPATIENT PSYCHIATRIC SERVICES AT
4 THE L.A.C.+U.S.C. MEDICAL CENTER, HARBOR- U.C.L.A. MEDICAL
5 CENTER AND OLIVE VIEW-U.C.L.A. MEDICAL CENTER. THERE IS NO
6 DEPARTMENT STATEMENT ON THIS MATTER AND NO CORRESPONDENCE WAS
7 RECEIVED.

8

9 **SUP. BURKE, CHAIR:** MOVED BY MOLINA. SECONDED BY YAROSLAVSKY.
10 WITHOUT OBJECTION, SO ORDERED.

11

12 **CLERK SACHI HAMAI:** ON ITEM NO. 6, THIS IS A HEARING ON THE
13 VALENCIA BRIDGE AND MAJOR THOROUGHFARE CONSTRUCTION FEE
14 DISTRICT UPDATED REPORT DATED MARCH 2008 PREPARED BY THE
15 ACTING DIRECTOR OF PUBLIC WORKS RECOMMENDING REVISIONS TO THE
16 BOUNDARIES, LIST OF PROJECTS AND FEES FOR THE VALENCIA BRIDGE
17 AND MAJOR THOROUGHFARE CONSTRUCTION FEE DISTRICT, CITY OF
18 SANTA CLARITA. THERE IS NO DEPARTMENT STATEMENT ON THIS MATTER
19 AND NO CORRESPONDENCE WAS RECEIVED.

20

21 **SUP. BURKE, CHAIR:** MOVED BY ANTONOVICH. SECONDED BY MOLINA.
22 WITHOUT OBJECTION, SO ORDERED. DO YOU WANT TO GO BACK TO THE
23 ADMINISTRATIVE ITEMS? DO WE HAVE ANY SHORT ONES? SUPERVISOR
24 ANTONOVICH, I'M GOING TO CALL ON YOU FOR YOUR ADJOURNMENTS AND
25 THEN FOR YOU TO CALL UP THE ITEMS YOU WISH TO CALL UP.



**The Meeting Transcript of
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1

2 **SUP. ANTONOVICH:** FIRST I'D LIKE TO MOVE THAT WE ADJOURN IN THE

3 MEMORY OF JOE ROSEN, WHO PASSED AWAY OCTOBER 23RD, AT AGE 81.

4 JOE WAS A VERY GOOD PERSONAL FRIEND, A GOOD SUPPORTER. THE

5 NAZIS HAD IMPRISONED JOE AND HIS FAMILY IN CONCENTRATION CAMPS

6 AND HAD MOVED HIM TO FOUR DIFFERENT CAMPS. HE WAS LIBERATED ON

7 APRIL 12TH, IN 1945 BY THE U.S. ARMY. JOE WAS THEN TAKEN TO

8 PARIS, FRANCE, WHERE HE STAYED UNTIL HE IMMIGRATED TO THE

9 UNITED STATES. IN, 1946 HE ARRIVED AND WITHIN DAYS MOVED TO

10 LOS ANGELES. AFTER ARRIVING IN AMERICA, JOE STARTED HIS LONG

11 CAREER OF PUBLIC SERVICE BY VOLUNTARILY JOINING THE UNITED

12 STATES ARMY. HE WAS ASSIGNED TO MILITARY INTELLIGENCE. AND

13 WITHIN FOUR MONTHS WAS DEPLOYED BACK TO GERMANY. HIS ABILITY

14 TO SPEAK EIGHT LANGUAGES WAS INVALUABLE TO THE ARMY. AFTER

15 SERVING THREE YEARS IN EUROPE, HE WAS HONORABLY DISCHARGED AND

16 ARRIVED BACK IN LOS ANGELES. IN 1954 HE WENT TO WORK FOR AN

17 AVIATION ELECTRONICS COMPANY. AND IN 1964 HE HAD STARTED HIS

18 OWN COMPANY, WHICH HE SUCCESSFULLY OWNED FOR OVER 30 YEARS. IN

19 THE 1970S HE WORKED FOR THE FEDERAL GOVERNMENT IN CLASSIFIED

20 AREAS UTILIZING HIS EXPERIENCE AND PAST KNOWLEDGE. IN 1972, HE

21 THEN DEVELOPED AND OWNED SEVERAL LARGE INDUSTRIAL CENTERS. HE

22 JOINED THE SAN FERNANDO POLICE RESERVE PROGRAM WHERE HE ROSE

23 TO THE RANK OF LIEUTENANT. HE HAD RETIRED FROM THE POLICE

24 DEPARTMENT IN 2001. LIFETIME MEMBER OF THE PEACE OFFICERS'S

25 ASSOCIATION IN LOS ANGELES COUNTY AND THE INTERNATIONAL PEACE



**The Meeting Transcript of
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1 OFFICERS'S ASSOCIATION. HE WAS ONE OF THE FOUNDING MEMBERS OF
2 THE L.A.P.D. CRIME PREVENTION ADVISORY COUNCIL. HE HAD JOINED
3 THE BEVERLY HILLS POLICE DEPARTMENT DISASTER COMMUNICATION
4 SERVICES IN 1994. HE IS SURVIVED BY HIS LONG-TIME COMPANION
5 AND SWEETHEART YUKO ONAKA. WILLIAM RANDALL SHAW, WHO PASSED
6 AWAY AT THE AGE OF 81. HE WAS THE FATHER OF LOS ANGELES COUNTY
7 SHERIFF'S DEPARTMENT CAPTAIN RICH SHAW OF TEMPLE STATION. HE
8 ENJOYED GOLF, SURVIVED BY HIS WIFE, JOANNE, TWO SONS AND
9 GRANDCHILDREN. DAVID "DELMAR" WATSON PASSED AWAY AT THE AGE OF
10 82, FROM GLENDALE. HE WAS KNOWN THAT HE WAS A MEMBER OF A
11 FAMILY OF ACTORS WHO APPEARED IN MORE THAN 1,000 FILMS IN THE
12 DAYS OF HOLLYWOOD. HIS MOVIE CAREER STARTED SIX MONTHS AFTER
13 HE WAS BORN AND HE HAD PARTS IN MORE THAN 77 MOVIES BY THE
14 TIME HE WAS SEVEN, INCLUDING THE "OUR GANG" SERIES. HE
15 APPEARED IN MORE THAN 300 FILMS DURING HIS YOUTH, WORKED
16 REGULARLY IN THE MOVIES UNTIL THE EARLY '40S. HE WAS ONE OF
17 FOUR BROTHERS TO SERVE AS A COAST GUARD CAMERAMAN DURING WORLD
18 WAR II. HE LATER JOINED HIS BROTHERS IN A FAMILY BUSINESS,
19 NEWS PHOTOGRAPHY. AND THE BROTHERS COULD BE FOUND IN THE 40S
20 AND 50S, THE WATSON BROTHERS COULD BE FOUND AT FOUR OF THE
21 FIVE LOS ANGELES METROPOLITAN DAILIES. HE IS SURVIVED BY HIS
22 WIFE OF 60 YEARS, ANTOINETTE; AND FOUR SIBLINGS, COY, LOUISE,
23 WATSON, AND GARRY. GERALD BARASICH PASSED AWAY, WAS RETIRED
24 SHERIFF LOS ANGELES COUNTY SHERIFF'S DEPARTMENT. HIS LAST
25 ASSIGNMENT WAS AT THE LOS ANGELES STATION. WILLIAM F. "BILL"



**The Meeting Transcript of
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1 GARNER PASSED AWAY AT THE AGE OF 91. HE WAS A LANCASTER
2 APPRAISER REALTOR. AND RANDY HAMSON, THIS WAS A TRAGIC CASE.
3 DEPUTY SHERIFF WHO PASSED AWAY ON OCTOBER 24TH AFTER HAVING
4 BEEN STRUCK BY A CAR IN AUGUST. HE HAD BEEN WITH THE SHERIFF'S
5 DEPARTMENT SINCE 1999, AND HE WORKED AT PITCHESS DETENTION
6 CENTER UNTIL APRIL OF 2003, WHERE HE BEGAN HIS PATROL SERVICE
7 IN SANTA CLARITA VALLEY. THAT'S THE TRAGIC OFFICER WHO WAS HIT
8 AND WAS IN A COMA AND NEVER WOKE UP AFTER MANY LONG MONTHS.
9 ALSO LIKE TO MOVE TO ADJOURN IN MEMORY OF JAMES RICHARD LANK,
10 WHO PASSED AWAY AT THE AGE OF 86. HE WAS RETIRED CAPTAIN OF
11 THE LOS ANGELES COUNTY FIRE DEPARTMENT. HE IS SURVIVED BY HIS
12 STEPSONS, STEVE AND TIM. AND ASK ALL MEMBERS BE ON THIS, EARL
13 PARKS, WHO WAS THE FATHER OF LOS ANGELES COUNTY CITY
14 COUNCILMAN, BERNARD PARKS, PASSED AWAY. EARL HAD SERVED WITH
15 THE LOS ANGELES PORT POLICE FOR 38 YEARS AND HAD WORKED AFTER
16 THAT WITH ATTORNEY GENERAL EVELLE YOUNGER, HELD POSITIONS IN
17 OTHER MUNICIPAL DEPARTMENTS. HE LEAVES FOUR CHILDREN ALONG
18 WITH BERNARD, ARTHUR, AGNES AND CLEO. AND HIS WIFE GERTRUDE.

19

20 **SUP. BURKE, CHAIR:** ALL MEMBERS.

21

22 **SUP. ANTONOVICH:** LET ME ALSO ASK IF WE COULD HAVE A REPORT. IN
23 2002, THE BOARD OF SUPERVISORS HAD APPROVED MY MOTION TO
24 ESTABLISH A PROGRAM FOR PROVIDING LIBRARY CARDS TO FOSTER
25 CHILDREN WITH NO LIABILITY FOR FOSTER PARENT. THE PROGRAM WAS



**The Meeting Transcript of
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1 SUCCESSFUL AND WE HAVE SINCE ENCOURAGED ALL INDEPENDENT CITY
2 LIBRARIES TO ENACT A SIMILAR PROGRAM. IN 2005, THE BOARD VOTED
3 TO ESTABLISH A SIMILAR PROGRAM FOR PROBATION YOUTH. THE GOAL
4 OF THE PROGRAM WAS TO MAKE SURE THAT ALL STUDENTS WHO ARE
5 ENROLLED IN JUVENILE COURT SCHOOLS ADMINISTERED BY THE COUNTY
6 OFFICE OF EDUCATION ARE INTRODUCED TO RESOURCES AVAILABLE TO
7 THEM IN THEIR COMMUNITY PUBLIC LIBRARIES. I WOULD LIKE TO ASK
8 THE C.E.O. TO REPORT NEXT WEEK AS TO HOW MANY PROBATION YOUTH
9 TO DATE HAVE RECEIVED LIBRARY CARDS AS A RESULT OF THIS
10 PROGRAM. IF WE COULD HAVE IT FOR NEXT WEEK, FIND OUT WHAT
11 L.A.C.O.E. HAS DONE TO IMPLEMENT THAT. THAT WAS PAST THREE
12 YEARS AGO. ON ITEM 22 WHEN WE DO THIS, I WAS ALSO GOING TO ASK
13 THE REGISTRAR TO ALSO INCLUDE ACORN REVIEW ON YOUR MOTION.

14

15 **SUP. BURKE, CHAIR:** I THINK ARNOLD SACHS ASKED TO SPEAK ON 22.
16 COULD HE COME FORWARD?

17

18 **SUP. YAROSLAVSKY:** I HAVE NO PROBLEM WITH THAT PROVIDED THAT
19 THE REGISTRAR HAS RECEIVED COMPLAINTS ABOUT THAT. I DON'T WANT
20 HIM TO START SOMETHING OVER WHICH HE HAS NO COMPLAINTS.

21

22 **SUP. ANTONOVICH:** WE CAN JUST DO A CHECK. I HAVE NO PROBLEM
23 WITH HIM JUST CHECKING.

24



**The Meeting Transcript of
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1 **SUP. YAROSLAVSKY:** MR. ANTONOVICH WANTS TO AMEND IT TO INCLUDE
2 ANY -- TO HAVE THE REGISTRAR CHECK TO SEE IF THERE HAVE BEEN
3 ANY COMPLAINTS ABOUT ACORN. AND IF SO, TO REVIEW THAT, AS
4 WELL. AND I DON'T HAVE A PROBLEM WITH THAT.

5

6 **SUP. BURKE, CHAIR:** MR. SACHS?

7

8 **SUP. YAROSLAVSKY:** I MOVE APPROVAL. AS AMENDED.

9

10 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY. SECONDED ANTONOVICH,
11 WITHOUT OBJECTION. SO ORDERED, AS AMENDED.

12

13 **SUP. YAROSLAVSKY:** BY THE WAY, CAN I JUST SAY, OR ANY OTHER
14 ORGANIZATION ABOUT WHICH THERE'S BEEN A COMPLAINT.

15

16 **SUP. BURKE, CHAIR:** CERTAINLY.

17

18 **SUP. YAROSLAVSKY:** JUST INCLUDE THAT.

19

20 **SUP. ANTONOVICH:** OKAY. 17.

21

22 **SUP. BURKE, CHAIR:** ARNOLD SACHS ON 17? IF NOT, MOVED BY
23 ANTONOVICH. SECONDED BY MOLINA. WITHOUT OBJECTION, SO ORDERED.

24

25 **SUP. ANTONOVICH:** ITEM NO. 13?



**The Meeting Transcript of
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1

CLERK SACHI HAMAI: ON ITEM NO. 13, THIS IS THE COMBINED
HEARING ON PROJECT NO. R2006-00147-(5), ZONE CHANGE CASE NO.
20060001-(5) CONDITIONAL USE PERMIT CASE 20060003-(5) OAK TREE
PERMIT CASE NUMBER 200600005-(5), AND PARKING PERMIT CASE NO.
2006000 RELATING TO THE PROPERTY LOCATED AT 2055 THROUGH 2071
NORTH LAKE AVENUE IN THE ALTADENA COMMUNITY STANDARDS
DISTRICT. ALTADENA ZONED DISTRICT PETITIONED BY CAROLYN INGRAM
SEITZ ON BEHALF OF ALTADENA ANIMAL HOSPITAL. THERE IS A
DEPARTMENT STATEMENT ON THIS MATTER AND NO CORRESPONDENCE WAS
RECEIVED.

12

SUP. BURKE, CHAIR: COULD MRS. SEITZ COME FORWARD? THE
DEPARTMENT WILL GIVE THEIR STATEMENT.

15

MARK CHILD: I'M MARK CHILD FROM THE DEPARTMENT OF REGIONAL
PLANNING. THIS IS ITEM NO. 13 IS A REQUEST BY THE ALTADENA
ANIMAL HOSPITAL FOR A ZONE CHANGE FROM NEIGHBORHOOD COMMERCIAL
TO COMMERCIAL MANUFACTURING WITH A DEVELOPMENT PROGRAM. A
CONDITIONAL USE PERMIT TO AUTHORIZE A SMALL ANIMAL HOSPITAL
WITH FACILITIES FOR BOARDING AND PET DAYCARE AN OAK TREE
PERMIT TO AUTHORIZE THE REMOVAL OF ONE OAK TREE AND THE
ENCROACHMENT INTO THE PROTECTED ZONE OF FOUR OAK TREES. AND A
PARKING PERMIT TO AUTHORIZE A REDUCTION FROM 43 SPACES TO 35
SPACES. THE PROJECT SITE IS LOCATED AT 2055 NORTH LAKE AVENUE



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1 IN THE ALTADENA ZONE DISTRICT AND THE COMMUNITY OF ALTADENA.
2 THE PROJECT CONSISTS OF DEMOLISHING AN EXISTING HAIR SALON AND
3 SHED, EXPANDING THE EXISTING SINGLE-STORY, 2,410 SMALL FOOT
4 ANIMAL HOSPITAL TO A TWO-STORY 10,750 SQUARE FOOT FACILITY AND
5 CONSTRUCTION OF A 35-SPACE PARKING LOT. TWO OAK TREES WILL BE
6 PLANTED TO MITIGATE THE REMOVAL OF THE EXISTING TREE, AND A
7 MONUMENT SIGN IS PROPOSED FOR THE NORTHEAST CORNER OF THE
8 PROJECT SITE. ACCESS TO THE PROPERTY IS PROVIDED FROM NORTH
9 LAKE AVENUE. ONE LETTER OF SUPPORT AND TWO LETTERS OF
10 OPPOSITION WERE RECEIVED. THE ALTADENA TOWN COUNCIL SENDS A
11 LETTER RECOMMENDING APPROVAL OF THE PROJECT BECAUSE THE
12 ESTABLISHMENT WOULD SERVE THE COMMUNITY. THE OPPONENTS WERE
13 CONCERNED ABOUT THE INABILITY OF THE HAIR SALON TO RELOCATE
14 AND THE LOSS OF BUSINESS DIVERSITY DUE TO THE HAIR SALON
15 DEMOLITION. THEY ALSO COMPLAINED ABOUT POTENTIAL ODORS FROM
16 ANIMAL WASTE AND THE THREAT OF ANIMAL SAFETY DUE TO TRAFFIC.
17 THE REGIONAL PLANNING COMMISSION CONDUCTED A PUBLIC HEARING ON
18 MARCH 26TH, 2008, AND RECOMMENDED THAT THE BOARD OF
19 SUPERVISORS APPROVE PROJECT NO. R2006-00147 AND ALL THE
20 ASSOCIATED PERMITS AND ENTITLEMENTS TO ADOPT THE ZONE CHANGE
21 ORDINANCE. THAT CONCLUDES THE STAFF PRESENTATION.

22
23 **SUP. BURKE, CHAIR:** ALL RIGHT. MISS SEITZ, NO ONE HAS SIGNED UP
24 TO OPPOSE IT. YOU'RE IN FAVOR, RIGHT?



**The Meeting Transcript of
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1 **CAROLYN SEITZ:** CORRECT.

2

3 **SUP. BURKE, CHAIR:** ALL RIGHT. THEN SUPERVISOR ANTONOVICH WILL
4 MOVE THAT WE CLOSE THE PUBLIC HEARING AND APPROVE THE ITEM?

5

6 **SUP. ANTONOVICH:** AND DIRECT THE COUNTY COUNSEL TO ADOPT THE
7 ZONE CHANGE ORDINANCE, INDICATING ITS INTENT TO APPROVE THE
8 C.U.P., OAK TREE PERMIT, PARKING PERMIT, DIRECT THE COUNTY
9 COUNSEL AND REGIONAL PLANNING TO MODIFY THE CONDITIONS TO
10 APPROVAL TO INCLUDE THE SPECIFIC PROVISION AUTHORIZING PET
11 DAYCARE SERVICE AT THE FACILITY, ALONG WITH OTHER USES
12 APPROVED BY THE COMMISSION, AND DIRECTING COUNTY COUNSEL TO
13 PREPARE THE FINAL FINDINGS AND CONDITIONS NECESSARY FOR THESE
14 APPROVALS, BRINGING IT BACK TO THE FUTURE BOARD MEETING FOR
15 CONSIDERATION.

16

17 **SUP. BURKE, CHAIR:** SECONDED BY YAROSLAVSKY. WITHOUT OBJECTION,
18 SO ORDERED. YOUR NEXT ITEM?

19

20 **SUP. ANTONOVICH:** ITEM NO. 10.

21

22 **CLERK SACHI HAMAI:** THIS IS THE DE NOVO HEARING ON CONDITIONAL
23 USE PERMIT CASE NO. 2004-00066-(5) AND VESTING TENTATIVE TRACT
24 MAP NO. 53159-(5), AND MITIGATED NEGATIVE DECLARATION RELATING
25 TO THE PROPERTY LOCATED AT EAST SAN FRANCISQUITO CANYON



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1 ROAD AND LOWRIDGE PLACE, CASTAIC CANYON ZONE DISTRICT, APPLIED
2 FOR ELAINE CHEN AND MICHAEL TAPLEY. THERE IS A DEPARTMENT
3 STATEMENT ON THIS AND THERE IS CORRESPONDENCE THAT WAS
4 RECEIVED BOTH IN OPPOSITION AND IN FAVOR.

5

6 **ALEJANDRINA BALDWIN:** GOOD MORNING, MADAME CHAIR AND MEMBERS OF
7 THE BOARD. MY NAME IS ALEJANDRINA BALDWIN, AND I'M A PRINCIPAL
8 REGIONAL PLANNER WITH THE DEPARTMENT OF REGIONAL PLANNING. I
9 HAVE WITH ME TODAY MR. STEVE BURGER, MR. CHARLES NESTLE FROM
10 PUBLIC WORKS. THE PROJECT BEFORE YOU THIS MORNING IS A REQUEST
11 FOR A CLUSTERED HILLSIDE RESIDENTIAL DEVELOPMENT OF 10 SINGLE-
12 FAMILY LOTS ON 21.83 GROSS ACRES LOCATED EAST OF SAN
13 FRANCISQUITO CANYON ROAD AND LOWRIDGE PLACE IN THE CASTAIC
14 CANYON ZONE DISTRICT. A MITIGATED NEGATIVE DECLARATION WAS
15 ALSO ADOPTED AS PART OF THE PROJECT WITH IMPACT TO BIOTA AND
16 MANDATORY FINDINGS REDUCED TO LESS TO SIGNIFICANT WITH PROJECT
17 MITIGATION. THE PROJECT WAS BEFORE THE REGIONAL PLANNING
18 COMMISSION ON MAY 14TH, 2008. CONCERNS RAISED AT THE PUBLIC
19 HEARING INCLUDED THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS
20 ON DOWNSTREAM SEWERS, THE PROPOSED LOT SIZES. GEOLOGICAL
21 SLIDING IN THE AREA, AND THE RURAL NATURE OF THE SURROUNDING
22 COMMUNITY. THE REGIONAL PLANNING COMMISSION APPROVED THE
23 PROJECT ON MAY 14TH, 2008. AFTER AN APPEAL WAS FILED WITH THE
24 BOARD OF SUPERVISORS, STAFF CONDUCTED ADDITIONAL RESEARCH AND
25 FOUND THAT THE APPROVED PROJECT DENSITY OF 10 UNITS EXCEEDS



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1 THE MAXIMUM PERMITTED PER ZONING. THE LOT SIZES FOR THE
2 DENSITY-CONTROLLED CONDITIONAL USE PERMIT SHOULD HAVE BEEN
3 CALCULATED USING THE PROJECT AREA MINUS THE EASTERN FIVE ACRES
4 OF THE PROJECT PREVIOUSLY SUBDIVIDED AS REQUIRED OPEN SPACE BY
5 TRACT 46564, WHICH YIELDS A MAXIMUM OF EIGHT UNITS. THE FIVE
6 EASTERN ACRES WERE NOT INCLUDED FOR PURPOSES OF CALCULATING
7 DENSITY UNDER THE SANTA CLARITA VALLEY AREA PLAN OR HILLSIDE
8 PROVISIONS. THAT CONCLUDES MY PRESENTATION, AND STAFF IS
9 AVAILABLE TO ANSWER ANY QUESTIONS.

10

11 **SUP. BURKE, CHAIR:** A NUMBER OF PEOPLE, ALL IN FAVOR, HAVE
12 SIGNED UP. MICHAEL CULVER, ELAINE CHEN, MICHAEL TAPLEY, BRIAN
13 BAKER AND STEVE HUNTER. IF THEY WOULD SIMPLY STAND, THEY'RE
14 ALL IN FAVOR? SUPERVISOR ANTONOVICH? DO YOU WANT TO HEAR FROM
15 THEM?

16

17 **SUP. ANTONOVICH:** IF THEY'RE ALL IN FAVOR.

18

19 **SUP. ANTONOVICH:** ANYBODY OPPOSED?

20

21 **SUP. BURKE, CHAIR:** NO ONE HAS SIGNED. THERE'S SOMEONE WHO IS
22 SIGNING UP TO OPPOSE? WE DON'T HAVE YOUR SLIP YET.

23

24 **CLERK SACHI HAMAI:** THEY JUST CAME IN.

25



**The Meeting Transcript of
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1 **SUP. ANTONOVICH:** I WILL ASK THE REGIONAL PLANNING. WHAT WAS
2 THE STAFF'S ORIGINAL RECOMMENDATION FOR THE PROPOSAL BEFORE US
3 TODAY?

4

5 **ALEJANDRINA BALDWIN:** IT WAS FOR APPROVAL.

6

7 **SUP. ANTONOVICH:** AND AFTER THE COMMISSION DETERMINATION, I
8 UNDERSTAND THAT THE STAFF HAD RECALCULATED THE NUMBER OF LOTS
9 THAT WERE PERMITTED. WHAT DID YOU CONCLUDE?

10

11 **ALEJANDRINA BALDWIN:** AFTER RECALCULATION, THE MAXIMUM YIELD
12 SHOULD BE 8 INSTEAD OF 10.

13

14 **SUP. ANTONOVICH:** SO YOU DOWNSIZED FROM 10 TO 8.

15

16 **ALEJANDRINA BALDWIN:** CORRECT.

17

18 **SUP. ANTONOVICH:** AND RESIDENTS HAD ARGUED THAT REGIONAL
19 PLANNING DOUBLE-COUNTED OPEN SPACE UTILIZED FOR A PREVIOUS
20 TRACT? IS THAT CORRECT?

21

22 **ALEJANDRINA BALDWIN:** IT WAS NOT DOUBLE-COUNTED. THE PROJECT
23 REQUIRES 11.77 ACRES OF OPEN SPACE, AND IT IS PROVIDING 12.19
24 ACRES OF OPEN SPACE, NOT INCLUDING THE EASTERN FIVE ACRES.

25



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1 **SUP. ANTONOVICH:** COUNTY COUNSEL, THERE IS A PROPOSED COMMUNITY
2 STANDARDS DISTRICT FOR SAN FRANCISQUITO CANYON PENDING BEFORE
3 THE REGIONAL PLANNING COMMISSION. WOULD THIS PROJECT BE
4 SUBJECT TO THE C.S.D.?

5

6 **LARRY HAFETZ:** SUPERVISOR, NO.

7

8 **SUP. ANTONOVICH:** SO IS THE GOVERNANCE AND MANAGEMENT OF THE
9 HOMEOWNERS' ASSOCIATION SOMETHING THAT THE COUNTY CAN
10 REGULATE?

11

12 **LARRY HAFETZ:** [INAUDIBLE] --INVOLVED IN REGULATING H.O.A.'S
13 AND PRIVATE ARRANGEMENTS BETWEEN HOMEOWNERS.

14

15 **SUP. ANTONOVICH:** AND THEN IS THE EXISTING HOMEOWNER
16 ASSOCIATION ADJOINING THIS PROPERTY OBLIGATED TO ASSUME ANY
17 NEW LOTS INTO ITS ASSOCIATION?

18

19 **LARRY HAFETZ:** AS I SAID, THIS IS A PRIVATE MATTER, SUPERVISOR.
20 SO WE WOULDN'T TYPICALLY GET INVOLVED. BUT THE ANSWER TO YOUR
21 QUESTION IS NO, I DON'T BELIEVE THEY WOULD BE FORCED TO ASSUME
22 THIS.

23

24 **SUP. ANTONOVICH:** AND THEN TO PUBLIC WORKS, THE RESIDENTS IN
25 THE ADJOINING TRACT ARE CONCERNED ABOUT THE VIBRATIONS DURING



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1 THE CONSTRUCTION IMPACTING HILLSIDES. IS THERE ANY CAUSE FOR
2 CONCERN?

3

4 **DAVID SPRINGER:** NO, SIR, THERE ISN'T.

5

6 **SUP. ANTONOVICH:** WOULD IT BE POSSIBLE FOR PUBLIC WORKS TO
7 RENEW THE PROPOSED BONDS TO SEE IF THERE IS ANY WAY TO PREPARE
8 FOR THIS?

9

10 **DAVID SPRINGER:** YES. PUBLIC WORKS COULD REVIEW THE BONDS, WORK
11 WITH COUNTY COUNSEL TO SEE IF WE CAN IMPLEMENT ANY
12 PROTECTIONS. IN ADDITION, WE CAN ASK THE DEVELOPER TO PROVIDE
13 MONITORING TO ENSURE THAT EVERYTHING GOES WELL.

14

15 **SUP. ANTONOVICH:** WHEN THE RESIDENTS HAD APPROACHED MY OFFICE
16 ABOUT ESTABLISHING A COMMUNITY STANDARDS DISTRICT, I HAD THEN
17 DIRECTED STAFF TO DRAFT ONE AND MOVE IT FORWARD AS QUICKLY AS
18 POSSIBLE. STAFF BELIEVES THAT THIS C.S.D. WILL COME BEFORE THE
19 BOARD IN EARLY 2009. STAFF IN MY OFFICE HAVE MADE IT CLEAR TO
20 THE RESIDENTS THAT THE PROPOSED C.S.D. WOULD NOT BE APPLIED TO
21 EXISTING PROJECTS. THE PROJECT THAT WE'RE TALKING ABOUT TODAY
22 HAS BEEN IN REGIONAL PLANNING FOR THE PAST FOUR YEARS. THE
23 APPLICANT HAS SECURED THE APPROVAL OF PUBLIC WORKS, REGIONAL
24 PLANNING AND OTHER COUNTY DEPARTMENTS. ADDITIONALLY, THE
25 PROJECT DOES NOT FRONT SAN FRANCISQUITO CANYON, AND THE HOMES



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1 WOULD BE NOT BE VISIBLE FROM THE FRANCISQUITO CANYON. THE SAME
2 STANDARDS IN THE SANTA CLARITA VALLEY AREA PLAN AND ZONING
3 DESIGNATIONS WHICH CONTROL DEVELOPMENT OF THE EXISTING HOMES
4 ARE BEING APPLIED TO THIS PROPERTY, LIMITING THESE HOMES TO
5 ONE STORY IN HEIGHT WILL MAKE THEM CONSISTENT WITH THE HOMES
6 IN THE LOWRIDGE COMMUNITY AND FURTHER MINIMIZE IMPACTS. WE DO
7 HAVE SOME OPPOSITION. THERE'S EDDIE REINSMA, I CAN'T READ YOUR
8 WRITING, EDDIE. AND JUDY REINSMA? AND MICHELLE. SAME FAMILY,
9 OKAY.

10

11 **SUP. BURKE, CHAIR:** PLEASE COME FORWARD.

12

13 **SUP. ANTONOVICH:** WINIFRED. OKAY, EDDIE, JUDY AND MICHELLE.

14

15 **SUP. BURKE, CHAIR:** THEY JUST CAME IN.

16

17 **SUP. ANTONOVICH:** OKAY. AND WINIFRED.

18

19 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.

20

21 **EDDIE REINSMA:** EDDIE REINSMA.

22

23 **SUP. ANTONOVICH:** YOU GO FIRST?

24



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1 **EDDIE REINSMA:** MADAME CHAIRMAN AND MEMBERS OF THE BOARD OF
2 SUPERVISORS. I AM EDDIE REINSMA. I LIVE AT 23093 LOWRIDGE
3 PLACE, SINCE AUGUST. I DID ATTEND THE REGIONAL PLANNING
4 HEARING AND SPOKE OF MY CONCERNS, AND I WAS NOT NOTED IN THE
5 MINUTES. SO THAT IS WHAT BRINGS ME HERE TODAY. THE PROPOSED
6 PROJECT LIES IN THE BACK OF LOTS 1 THROUGH 4. I LIVE ON LOT 2.
7 I HAVE COPIES OF THE PICTURES I SENT OUT WITH MY LETTER OF
8 CONCERN ABOUT THIS PROJECT. AND I WOULD LIKE YOU TO REVIEW
9 THEM. WHEN I MET WITH DEPUTIES PAUL NOVAK, ROSLYN WATMAN AND
10 REGIONAL PLANNING'S MISS BALDWIN AND MISS TAE, WE LOOKED OUT
11 FROM MY BACKYARD. WE ALL AGREED IT GIVES A BETTER PERCEPTION
12 OF THE HILLS AND CLIFF THAN IT DOES ON A TRACT MAP. THE
13 ORIGINAL PROPERTY WAS SUBDIVIDED FROM 100 ACRES INTO 10-ACRE
14 LOTS EACH WITH ONE FAMILY DWELLING. THE DEVELOPER OF THE LAST
15 REMAINING LOT NOW WANTS TO USE A CONDITIONAL USE PERMIT TO
16 CLUSTER EIGHT TO 10 HOMES. THIS AREA IS ZONED A-2-2. ON THE
17 NORTH, ALL PARCELS ARE FIVE ACRES OR MORE WITH SINGLE-FAMILY
18 DWELLINGS. TO THE SOUTH ARE 11 SINGLE-FAMILY ONE-STORY HOMES,
19 LOT SIZES THREE-QUARTER TO OVER ONE ACRE. REST IS THE 10-ACRE
20 SINGLE-FAMILY DWELLING THAT IS ALSO A HORSE RANCH. THE EAST
21 SIDE IS THE ONLY SIDE THAT HAS HIGH DENSITY CLUSTERING. THESE
22 HOMES CANNOT BE SEEN. THEY ARE ON THE OTHER SIDE OF A 200-FOOT
23 CLIFF. I FEEL THE PREPARED CLUSTERING OF HOMES IS OUT OF PLACE
24 IN THIS RURAL AND UNIQUE HILLSIDE AREA AND SHOULD HAVE NEVER
25 BEEN APPROVED FOR MORE THAN THREE TO FOUR DWELLINGS UNDER THE



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1 A-2-2 ZONING. THE SUBJECT PROPERTY IS NOT RELATIVELY LEVEL,
2 REQUIRES 166,000 CUBIC YARDS OF GRADING, BACKS UP TO A FLOOD
3 BASIN, HAS SURROUNDING SLOPES UNDER LITIGATION ON THE SOUTH
4 SIDE FOR FAILING, AND A CLIFF UP TO 200 FEET TALL ON THE NORTH
5 AND EAST SIDE THAT ERODE EVERY TIME IT RAINS. THREE OF THESE
6 PARCELS ARE SITED ON DENSE CLUSTERING, BUT YOU CANNOT SEE
7 THESE HOMES FROM THE PROPERTY, NOR CAN YOU SEE THEM FROM OUR
8 BACKYARDS. ONLY ONE SITE HAS DENSE CLUSTERING. ADDITIONALLY,
9 IF ANY GRADING GOES ON, OUR FAILING SLOPES MUST BE NOTED AND
10 PROTECTED FROM ANYMORE HARM. I URGE YOU TO DENY THIS C.U.P.
11 AND REQUIRE ANY HOMES APPROVED BLEND IN AND BE CONSISTENT WITH
12 ADJACENT PROPERTIES THAT HAVE A MINIMUM OF THREE-QUARTER UP TO
13 5 AND 10-ACRE LOTS. ALSO, THAT YOU REQUIRE A-2-2 ZONING TO BE
14 UPHELD WITH NO CLUSTERING. I AM NOT OPPOSED TO GROWTH, BUT I
15 DO BELIEVE THIS PROJECT OF CLUSTERING URBAN HOMES IN THE
16 MIDDLE OF A RURAL SETTING IS OUT OF PLACE. THANK YOU FOR
17 HEARING ME.

18

19 **SUP. BURKE, CHAIR:** WOULD YOU PLEASE STATE YOUR NAME, THE NEXT
20 SPEAKER?

21

22 **JUDY REINSMA:** MY NAME IS JUDY REINSMA I LIVE AT 29750 SAN
23 FRANCISQUITO CANYON ROAD. AND I'M HERE REPRESENTING THE SAN
24 FRANCISQUITO PRESERVATION ASSOCIATION. OUR GROUP FIRST
25 MOBILIZED IN THE MID-1990S, WHEN TESORO DEL VALLE THREATENED



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1 TO DEVELOP THE ENTIRE SOUTHERN END OF OUR RURAL CANYON. AFTER
2 NUMEROUS MEETINGS AND TRIPS DOWN TO PLANNING, WE WERE SOMEWHAT
3 SUCCESSFUL IN THAT WE AT LEAST KEPT THE CONDOMINIUMS OUT OF
4 THE FLOOD PLAINS IN THE S.E.A. TIME AFTER TIME WE'VE HAD TO
5 PROTEST INDIVIDUAL DEVELOPMENTS THAT WERE NOT RURAL, SOUGHT TO
6 OVERTURN THE EXISTING ZONING WITH A CONDITIONAL USE PERMIT,
7 AND THREATENED TO DESTROY THE INTEGRITY OF THE CANYON AS A
8 RURAL ENCLAVE. WE BROUGHT OUR CONCERNS TO YOU WHEN WE
9 PROTESTED THE SUN CAL- BURNHAM DEVELOPMENT, WHICH IS DUE WEST
10 OF THE PROJECT WE ARE SPEAKING OF TODAY ON THE OTHER SIDE OF
11 FRANCISQUITO CANYON ROAD. YOU REQUIRED THAT EACH PARCEL BE A
12 MINIMUM OF ONE ACRE TRANSITIONING UP TO TWO ACRES WITH RURAL,
13 STREET AND LIGHTING STANDARDS AND AGRICULTURAL USES PROTECTED.
14 OVER THE PAST TWO YEARS, WE REALIZE THAT INSTEAD OF A NEVER
15 ENDING SERIES OF EXPENSIVE AND TIME CONSUMING BATTLES TO
16 PRESERVE OUR RURAL CANYON, WE NEEDED A COMMUNITY STANDARDS
17 DISTRICT. AFTER OVER 40 RESIDENTS SIGNED A PETITION IN SUPPORT
18 OF OUR PLAN, WE TURNED TO OUR SUPERVISOR'S STAFF FOR
19 ASSISTANCE IN PRODUCING A LEGAL C.S.D. MITCH GLAZER OF
20 REGIONAL PLANNING MET WITH US, TOOK OUR IDEAS AND STAFF
21 PRODUCED AN OFFICIAL C.S.D. WHICH HE PRESENTED TO THE CANYON
22 RESIDENTS THIS OCTOBER 7TH. THE UNANIMOUS CONCERN OF EVERY
23 PERSON PRESENT WAS THERE BE ABSOLUTELY NO CLUSTERING ALLOWED,
24 AS CLUSTERING DESTROYS RURAL USES AND MINIMUM PARCEL SIZE BE
25 TWO ACRES ON ANY FUTURE PROJECTS. THIS C.S.D. WILL BE



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1 PRESENTED FOR FINAL APPROVAL BY SAN FRANCISQUITO CANYON
2 RESIDENTS EARLY NEXT YEAR. IN THE ONE VALLEY ONE VISION
3 PROJECT, SAN FRANCISQUITO CANYON IS DESIGNATED AS A RURAL AREA
4 WITH A MINIMUM OF TWO ACRES PER DWELLING UNIT UP TO FIVE ACRES
5 PER DWELLING UNIT. THIS IS WHAT IT SHOULD BE: TRULY RURAL.
6 HOME SITES ON ACREAGE, NOT CLUSTERED ON SMALL LOTS. WITH THE
7 EXISTING A-2-2 ZONING ON THIS PROPERTY, THE SUPPORT SHOWN BY
8 THE SUPERVISORS FOR PRESERVING THE SPECIAL RURAL AREA IN THEIR
9 PREVIOUS DECISION ON SUN CAL BURNHAM, THE ONE VALLEY ONE
10 VISION GENERAL PLAN RURAL DESIGNATION, AS WELL AS THE PENDING
11 COMMUNITY STANDARDS DISTRICT ALL AFFIRMING AND PRESERVING THE
12 RURAL CHARACTER OF OUR AREA AND ON BEHALF OF ALL THE CANYON
13 RESIDENTS, I IMPORE YOU TO REQUIRE THAT THIS PROJECT CONFORM
14 TO THESE STANDARDS. THANK YOU.

15

16 **SUP. BURKE, CHAIR:** YES, PLEASE STATE YOUR NAME.

17

18 **MICHELLE REINSMA:** MICHELLE REINSMA. GOOD AFTERNOON. I AM
19 MICHELLE REINSMA, AND I LIVE ON LOT 2 ON LOWRIDGE PLACE. I AM
20 A BORN AND RAISED SAUGUS RESIDENT. MY 41 YEARS' EXPERIENCE
21 HAVE INCLUDED WATCHING OUR VALLEY GROW INTO THE COMMUNITY IT
22 TODAY. MY MAIN CONCERN WITH THIS DEVELOPMENT IS THE LOCATION.
23 THE PROPERTY SITS IN A BOWL OF HUGE HILLSIDES. THE MAGNIFICENT
24 TOWERING HILLS TO THE EAST SEPARATE ON ONE SIDE WHAT IS COMMON
25 TO OUR VALLEY, A VERY DENSE TRACT OF HOMES. AND ON THE OTHER



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1 SIDE A COMPLETELY DIFFERENT LIFESTYLE OF ONE-STORY HOMES
2 APPEAR ON VERY DESIRABLE LARGE LOTS AND THEN THE BEAUTIFUL SAN
3 FRANCISQUITO CANYON TAKES OVER THE LANDSCAPE. IT IS RARE TO
4 OUR VALLEY NOW AND I BELIEVE IT IS WORTH PRESERVING. THIS
5 RIDGE LINE SHOULD BE MAINTAINED AS THE DIVISION BETWEEN DENSE
6 RESIDENTIAL LIVING AND RANCH CANYON LIVING. IN A DOCUMENT
7 PREPARED BY MISS BALDWIN, IT STATES UNDER ISSUES AND ANALYSIS,
8 "THE APPLICANT NOTIFIED STAFF OF THEIR INTENTION TO BE ANNEXED
9 INTO THE ADJACENT HOMEOWNERS' ASSOCIATION AND THE PACIFIC
10 HILLS HOMEOWNERS' ASSOCIATION BOARD MET AND VOTED AGAINST
11 INCLUDING THIS DEVELOPMENT INTO OUR ASSOCIATION." AS A RESULT,
12 WE ARE CONCERNED WITH THE ABILITY OF THE APPLICANT TO MAINTAIN
13 THE OPEN SPACE, THE GRADED HILLSIDES AND THE REQUIRED
14 C.C.N.R.S. OVER A LONG PERIOD OF TIME. THERE ALSO APPEARS TO
15 BE SOME QUESTION OF SEWER CAPACITY BY THE CITY OF SANTA
16 CLARITA THAT IS ALSO A CONCERN. THIS PROPOSED DEVELOPMENT
17 PRESENTS MANY ISSUES THAT CANNOT BE IGNORED. SIGNIFICANT
18 HAZARDS APPLY TO THIS TRACT, THE DEVELOPMENT PROCESS AND THE
19 IMPACTS THAT WILL FOLLOW. THE HILLSIDE STABILITY DIRECTLY
20 AFFECTS MY HOME. WE ARE CURRENTLY IN LITIGATION TO CORRECT THE
21 FAILING HILLSIDES OF WHICH WILL BE AT FURTHER RISK DUE TO THE
22 EXTENSIVE PROPOSED GRADING. THIS SUBSTANTIAL GRADING PROJECT
23 WILL INCLUDE SIGNIFICANT LAND VIBRATION AND COULD POSSIBLY
24 CAUSE OUR BACKYARDS TO FAIL COMPLETELY. IT IS IMPORTANT THAT
25 WE ARE PROTECTED IF THIS EARTH WORK DOES CAUSE FURTHER DAMAGE



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1 TO OUR PROPERTIES. THIS PROPERTY ALSO INCLUDES LIQUEFACTION
2 ZONES, HIGH SLOPE INSTABILITY, SEISMIC FAULT ZONES, HIGH FIRE
3 HAZARD ZONES. THERE IS SIMPLY NO WAY THESE GEOLOGICAL HAZARDS
4 CAN BE ELIMINATED. THIS IS WHY I BELIEVE THE A-2-2 ZONING
5 SHOULD STAY AND THE C.U.P. APPLICATION SHOULD BE DENIED. THANK
6 YOU.

7

8 **WINIFRED BOREHN:** MY NAME IS WINIFRED BOREHN, AND I'VE BEEN A
9 RESIDENT OF SAN FRANCISQUITO CANYON FOR 23 YEARS. BOARD OF
10 SUPERVISORS, I AM CONCERNED. THIS IS A PART OF THE ORIGINAL
11 TRACT THAT I PURCHASED MY PROPERTY FROM THAT LONG AGO. AND I'M
12 CONCERNED BECAUSE OUR APPEAL AND ME AS A MEMBER OF THE SAN
13 FRANCISQUITO PRESERVATION ASSOCIATION, FEEL THAT THREE TO FOUR
14 HOMES SHOULD ONLY BE ALLOWED IN THIS NEW TRACT THAT IS
15 PROPOSED AS A CONDITIONAL USE PERMIT. I CHECKED AND I
16 APPRECIATE THE FACT THAT I DID CHECK WITH MY TITLE COMPANY I
17 USED TO CONFIRM THE AMOUNT OF ACREAGE THAT WAS TRANSFERRED
18 FROM TRACT 43171, LOT 5 WAS ONLY 15.8 ACRES, AND THAT I'M
19 GRATEFUL THAT THE COUNTY OF REGIONAL PLANNING GROUP HAS NOTED
20 THAT THE 5.8 ACRES WAS NOT INCLUDED IN ANY OF THEIR DECISION
21 MAKING FOR ALLOWING THIS DEVELOPMENT, BECAUSE THAT CAME FROM
22 PACIFIC HILLS ORIGINALLY AS OPEN SPACE PROPERTY. OVER TWO
23 YEARS AGO, THE BOARD OF SUPERVISORS INDICATED THEY WOULD
24 CONTINUE TO PROTECT THE RURAL CHARACTER OF OUR SAN
25 FRANCISQUITO CANYON. AND THEY PROMISED TO HELP US WITH THAT.



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1 AND THEY HAVE KEPT TRUE TO THEIR PROMISE AND HAVE, WITH THE
2 BURNHAM PROPERTY THAT WAS TO BE DEVELOPED BY SUN CAL, THEY
3 KEPT A MINIMUM OF ONE DWELLING PER ACRE AND TRANSITIONING UP
4 TO TWO ACRE PARCELS. AND SO WE'RE GRATEFUL FOR THAT AND HOPE
5 THAT YOU WILL CONTINUE TO KEEP OUR SAN FRANCISQUITO CANYON
6 RURAL. THANK YOU VERY MUCH.

7

8 **SUP. ANTONOVICH:** YOU ALREADY SPOKE. OKAY. A BRIAN BAKER ALSO
9 SPOKE? ARE YOU ON HALF ACRE LOTS?

10

11 **WINIFRED BOREHN:** FIVE-ACRE.

12

13 **SUP. ANTONOVICH:** YOU'RE ON A FIVE-ACRE. WHAT ARE YOU ON?

14

15 **EDDIE REINSMA:** HALF ACRE PLUS.

16

17 **SUP. ANTONOVICH:** UP THERE ON THE RIDGE ARE HALF ACRES.

18

19 **EDDIE REINSMA:** TO THE SOUTH SIDE.

20

21 **SUP. ANTONOVICH:** OKAY, THANK YOU. MR. BAKER?

22

23 **BRIAN BAKER:** GOOD MORNING, LADIES AND GENTLEMEN. THANK YOU FOR
24 YOUR TIME. I APPRECIATE YOU LISTENING TO ME. I LIVE AT 29045
25 RAINTREE LANE. I'M THE ORIGINAL OWNER OF MY HOUSE. AND I WAS



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1 ONE OF THE FIRST PEOPLE TO MOVE INTO THE PACIFIC HILLS
2 DEVELOPMENT BECAUSE MY HOUSE WAS BUILT IN THE FIRST PHASE
3 IMMEDIATELY FOLLOWING THE MODEL. SO I'M AN ORIGINAL RESIDENT.
4 I WATCHED THAT WHOLE AREA GET BUILT. I'M CURRENTLY RETIRED BUT
5 WHEN I WAS WORKING I WAS A MEMBER OF THE CONSTRUCTION
6 SPECIFICATIONS INSTITUTE, THE AMERICAN SOCIETY OF CIVIL
7 ENGINEERS, AND I STILL HOLD A GENERAL CONTRACTOR'S LICENSE
8 ISSUED BY THE STATE OF CALIFORNIA, THOUGH IT'S CURRENTLY
9 INACTIVE. I'VE EXAMINED ALL THE DOCUMENTS THAT ARE AVAILABLE
10 TO THE PUBLIC ON THIS PROJECT AND I GOT TO TELL YOU: I DON'T
11 SEE ANY PROBLEM WITH IT AT ALL. I THINK IT'S A REALLY GOOD USE
12 OF THAT LAND. I THINK IT'S BEEN WELL THOUGHT OUT AND
13 ENGINEERED. THE DEVELOPERS HAVE COMPLIED WITH THE COUNTY'S
14 REQUIREMENTS. I THINK THEY'VE BENT OVER BACKWARDS TO DO SO.
15 THEY DO OWN A PIECE OF PROPERTY, THEY BOUGHT IT AND THEY HAVE
16 PROPERTY RIGHTS. I THINK THEY SHOULD BE ABLE TO DEVELOP IT IN
17 SOME KIND OF A MANNER THAT MEET THE NEEDS OF MOST, OBVIOUSLY
18 NOT ALL, CONCERNED. I'M VERY FAMILIAR WITH THAT PIECE OF
19 PROPERTY. IT'S NOTHING BUT A HOLE IN THE GROUND WITH A COUPLE
20 OF OLD SHACKS THAT HAVE BEEN THERE SINCE NAPOLEON WAS A
21 CORPORAL. I MEAN, THERE'S NOTHING GOING ON AT THAT PIECE OF
22 LAND, AND THIS DEVELOPMENT LOOKS REAL GOOD. AND I'LL TELL YOU
23 THERE'S ONE OTHER THING THAT I WOULD LIKE TO CONVEY AND THEN
24 I'LL BE DONE HERE. SUPERVISOR ANTONOVICH, BASED ON THE
25 COMMENTS THAT YOU MAKE AND OTHER CONVERSATIONS I'VE HAD, I



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1 THINK THAT THERE IS A PERCEPTION HERE THAT OUR HOMEOWNERS'
2 ASSOCIATION AS A GROUP IS AGAINST THIS PROJECT. AND I WANT TO
3 TELL YOU THAT'S A VERY FALSE PERCEPTION. MOST OF THE PEOPLE,
4 FIRST OF ALL, IN THE TRACT AREN'T EVEN AWARE OF THIS THING.
5 SECONDLY, OUR HOMEOWNERS' ASSOCIATION, AS CONSTITUTED UNDER
6 OUR C.C.N.R.S AND THE CHARTER THAT GIVES IT EXISTENCE DOESN'T
7 HAVE ANY PURVIEW OR AUTHORITY OVER ANY MATTERS OR ISSUES THAT
8 TAKE PLACE OUTSIDE OF THE BOUNDARIES OF THE PACIFIC HILLS
9 DEVELOPMENT ITSELF. SO IF THERE'S ANY PERCEPTION HERE THAT OUR
10 HOMEOWNERS' ASSOCIATION HAS TAKEN A STAND AGAINST THIS
11 PROJECT, I WANT TO CLEAR THAT UP RIGHT NOW. THAT IS NOT THE
12 CASE. THAT'S ALL I HAVE TO SAY. DO YOU HAVE ANY QUESTIONS FOR
13 ME?

14

15 **SUP. ANTONOVICH:** THANK YOU.

16

17 **BRIAN BAKER:** THANK YOU.

18

19 **SUP. ANTONOVICH:** LET ME ASK STAFF. THE SIZE OF THE LOTS WE'RE
20 TALKING ABOUT, WHAT WOULD BE THE DENSITY OF REQUIRING HALF-
21 ACRE SIZE LOTS? 20,000 SQUARE FEET? WOULD THAT REDUCE THE
22 DENSITY TO, WHAT? SIX?

23



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1 **ALEJANDRINA BALDWIN:** IT'S HARD TO SAY WITHOUT LOOKING AT THE
2 MAP RIGHT NOW. THE MAXIMUM IS EIGHT. IT'S VERY LIKELY THAT IT
3 WOULD BE AROUND SIX.

4

5 **SUP. ANTONOVICH:** AROUND FIVE OR SIX IN THAT BALLPARK?

6

7 **ALEJANDRINA BALDWIN:** VERY LIKELY.

8

9 **SUP. ANTONOVICH:** WHAT I WOULD LIKE TO DO, MADAME CHAIR, IS THE
10 PROPOSAL BEFORE US HAD COME TO US WITH A RECOMMENDATION FOR 10
11 LOTS. AND THEN WHEN IT WAS RE-EVALUATED BY THE COMMISSION, IT
12 CAME BACK SAYING THAT THE CALCULATION PERMITTED A MAXIMUM OF
13 EIGHT LOTS. BUT I WOULD LIKE TO CHANGE THAT, AS WELL. BUT
14 FIRST I'D LIKE TO CLOSE THE HEARING AND DENY THE APPEAL AND TO
15 ADOPT THE MITIGATED NEGATIVE DECLARATION THAT WAS RECOMMENDED
16 BY REGIONAL PLANNING AND INDICATE THE BOARD'S INTENT TO
17 APPROVE BUT DIRECT COUNTY COUNSEL AND DIRECT REGIONAL PLANNING
18 TO MODIFY THE CONDITIONS OF APPROVAL TO, ONE, LIMIT THE
19 PROPOSED HOMES TO ONE STORY, 15 FEET IN HEIGHT. AND, TWO,
20 REDUCE THE NUMBER OF LOTS SO THAT EACH WOULD BE A MINIMUM OF
21 20,000 SQUARE FEET, WHICH IS A HALF ACRE. AND I DON'T KNOW IF
22 THAT NUMBER'S GOING TO BE SIX OR FIVE, BUT THAT WILL COME BACK
23 WHEN YOU HAVE THE FINAL CONDITIONS BEFORE THE BOARD, IS THAT
24 NOT CORRECT?

25



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1 **ALEJANDRINA BALDWIN:** YES.

2

3 **SUP. ANTONOVICH:** SO THAT WOULD BE THE MOTION. AND TO DIRECT
4 THE COUNTY COUNSEL TO PREPARE THE FINDINGS, CONDITIONS
5 NECESSARY FOR THE APPROVALS, BRINGING THEM BACK TO THE BOARD
6 OF SUPERVISORS AT A SUBSEQUENT MEETING AND DIRECTING THE
7 ACTING DIRECTOR OF PUBLIC WORKS TO REVIEW THE AMOUNTS OF THE
8 BONDS REQUIRED FOR THE PROJECT TO ENSURE THAT BOND AMOUNTS ARE
9 APPROPRIATE GIVEN CONCERNS ABOUT IMPACTS OF THE SURROUNDING
10 COMMUNITY AND REPORT BACK TO THE BOARD WITHIN 60 DAYS ON THAT.

11

12 **SUP. BURKE, CHAIR:** MOVED BY SUPERVISOR ANTONOVICH THAT THE
13 HEARING BE CLOSED AND THAT THE MOTION AS HE'S PRESENTED IT BE
14 APPROVED. SECONDED BY SUPERVISOR YAROSLAVSKY. WITHOUT
15 OBJECTION, SO ORDERED.

16

17 **SUP. ANTONOVICH:** NO. 11?

18

19 **CLERK SACHI HAMAI:** ON ITEM NO. 11, THIS IS THE DE NOVO HEARING
20 ON CONDITIONAL USE PERMIT CASE NO. 2005-00151-(5), VARIANCE
21 CASE NO. 2007-00011-(5) AND TENTATIVE PARCEL MAP NO. 063010-
22 (5) AND NEGATIVE DECLARATION RELATING TO THE PROPERTY LOCATED
23 AT 2716 WILLOWHAVEN DRIVE WITHIN THE LA CRESCENTA- MONTROSE
24 COMMUNITY STANDARDS DISTRICT AND LA CRESCENTA ZONED DISTRICT



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1 APPLIED FOR BY ALEX ROGIC. THERE IS A DEPARTMENT STATEMENT AND
2 CORRESPONDENCE WAS RECEIVED ON THIS MATTER.

3

4 **JODIE SACKETT:** GOOD MORNING, MADAME CHAIR, MEMBERS OF THE
5 BOARD. MY NAME IS JODIE SACKETT, AND I AM A SENIOR REGIONAL
6 PLANNING ASSISTANT WITH THE DEPARTMENT OF REGIONAL PLANNING.
7 THE PROJECT BEFORE YOU THIS MORNING IS A REQUEST FOR A
8 RESIDENTIAL DEVELOPMENT OF THREE SINGLE-FAMILY PARCELS ON 0.73
9 GROSS ACRES LOCATED AT 2716 WILLOWHAVEN DRIVE IN THE LA
10 CRESCENTA ZONED DISTRICT. THE PROJECT REQUESTS A CONDITIONAL
11 USE PERMIT FOR URBAN HILLSIDE MANAGEMENT, DENSITY CONTROL
12 DEVELOPMENT AND SOLID FILL GRADING. THE PROJECT ALSO REQUESTS
13 A VARIANCE TO ALLOW LESS THAN THE MINIMUM REQUIRED NET LOT
14 AREA IN THE R-1, 10,000 ZONE FOR TWO PROPOSED SINGLE-FAMILY
15 PARCELS AND RETAINING WALLS HIGHER THAN 6 FEET WITHIN THE SIDE
16 AND REAR YARD SETBACKS. A NEGATIVE DECLARATION HAS BEEN
17 PREPARED FOR THIS PROJECT DETERMINING THAT ENVIRONMENTAL
18 IMPACTS ARE LESS THAN SIGNIFICANT OR HAVE NO IMPACT. THIS
19 PROJECT WAS HEARD BEFORE THE REGIONAL PLANNING COMMISSION ON
20 MAY 21ST, 2008. CONCERNS RAISED BY LOCAL RESIDENTS AT THE
21 PUBLIC HEARING INCLUDED OVERALL COMMUNITY COMPATIBILITY, THE
22 AESTHETIC IMPACT OF RETAINING WALLS AND FUTURE RESIDENCES,
23 SLOPE STABILITY, DRAINAGE, INADEQUATE OPEN AND GREEN SPACE,
24 ALL ROUTE IMPACTS TO EXISTING ROADS, ADDITIONAL TRAFFIC TO BE
25 GENERATED AFTER THE NEW HOMES ARE BUILT, AND TRAFFIC SAFETY



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1 AND PARKING CONCERNS ALONG ROCK PINE LANE. THOSE IN SUPPORT OF
2 THE PROPOSED DEVELOPMENT INDICATED THAT THE PROJECT WILL
3 BENEFIT THE COMMUNITY BY DEVELOPING AN UNDERUTILIZED PORTION
4 OF LAND ALONG ROCK PINE LANE. THE COMMISSION DENIED THE
5 PROJECT ON JUNE 18TH, 2008, FOR REASONS RELATED TO THE
6 INCONSISTENCY OF THE DEVELOPMENT WITH COUNTY HILLSIDE
7 MANAGEMENT PROVISIONS AND INCOMPATIBILITY WITH THE CHARACTER
8 OF THE COMMUNITY. THE APPLICANT OF THE PROJECT, MR. ALEX
9 ROGIC, APPEALED THE DECISION OF THE COMMISSION TO YOUR BOARD.
10 THIS CONCLUDES STAFF'S PRESENTATION AND STAFF IS AVAILABLE TO
11 ANSWER ANY QUESTIONS.

12
13 **SUP. BURKE, CHAIR:** JUST A MOMENT. WE MAY WANT TO GO BACK TO
14 THE LAST ITEM.

15
16 **SUP. ANTONOVICH:** THAT'S WHAT WE'RE JUST TALKING ABOUT. THERE
17 WERE SOME PEOPLE THAT SIGNED UP IN SUPPORT OF THE LAST
18 PREVIOUS ITEM THAT WERE NOT ASKED TO SPEAK. AND I'M ASKING
19 THEM THAT THEY BE ABLE TO GIVE THEIR TESTIMONY AT THIS TIME.

20
21 **SUP. BURKE, CHAIR:** THEN SUPERVISOR ANTONOVICH MOVES TO
22 RECONSIDER THE LAST ITEM. AND SUPERVISOR YAROSLAVSKY SECONDS
23 IT. THE LAST ITEM WILL BE RECONSIDERED AND THE PEOPLE WHO
24 STOOD, WOULD YOU PLEASE COME FORWARD WHO WERE IN SUPPORT?
25 PLEASE COME FORWARD AND STATE YOUR NAME. AT THE TIME THERE WAS



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1 NO ONE WHO HAD SIGNED UP IN OPPOSITION TO IT. THEY LATER CAME
2 UP. AND WE SHOULD HAVE CALLED YOU UP BACK TO SPEAK SINCE YOU
3 INDICATED YOUR SUPPORT. YES.

4

5 **MICHAEL TAPLEY:** MY NAME IS MICHAEL TAPLEY. SHOULD I GO AHEAD
6 AND SPEAK?

7

8 **SUP. BURKE, CHAIR:** YES.

9

10 **MICHAEL TAPLEY:** I'VE BEEN INVOLVED IN THIS OWNERSHIP AND
11 PROJECT DEVELOPMENT FOR FOUR YEARS. AND WE'VE GONE THROUGH
12 EXTENSIVE REVIEWS, HEARINGS AND DISCUSSIONS WITH THE STAFF,
13 ALEJANDRINA AND SUZIE TAE. AND WE'VE COMPLIED WITH EVERY
14 SINGLE REQUEST THAT THEY HAVE MADE OF US FOR ENGINEERING OF
15 THE HILLSIDE, FOR COMPLYING WITH THE EXISTING REQUIREMENTS,
16 FOR CLUSTERING. AND WE WENT TO A PUBLIC HEARING FOR THE
17 REGIONAL PLANNING COMMISSION IN MAY. AT THAT HEARING,
18 EXTENSIVE QUESTIONS WERE PUT FORTH BY THE REGIONAL PLANNING
19 COMMISSION REGARDING THE USE OF THE FIVE ACRES THAT IS IN
20 QUESTION, AND WE DISPUTE ALEJANDRINA'S POSITION WHOLEHEARTEDLY
21 THAT THAT CANNOT BE USED. AND STEVE HUNTER WILL EXPLAIN WHY.
22 BUT AT SOME POINT AFTER EXTENSIVE QUESTIONING, REGIONAL
23 PLANNING VOTED UNANIMOUSLY IN FAVOR OF OUR PROJECT. THERE
24 WASN'T ONE DISSENTING VOTE. THAT SPEAKS, I THINK, TO THE
25 QUALITY OF THE WORK THAT HAD BEEN DONE BY THE STAFF AND ALL



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1 THE DEPARTMENTS THAT WERE INVOLVED. THERE WAS ONE GENTLEMAN
2 THAT OPPOSED IT. HE WAS HEARD, AND HIS CONSIDERATIONS WERE
3 TAKEN INTO ACCOUNT, AND AGAIN EXAMINED CAREFULLY BY THE
4 REGIONAL PLAN COMMISSION. AND YET WE RECEIVED UNANIMOUS
5 APPROVAL. FROM THAT POINT, WE RECEIVED REGIONAL -- L.A. COUNTY
6 RECEIVED AN APPEAL. AND THAT APPEAL ISSUE HAD ALREADY BEEN
7 ADDRESSED BY REGIONAL PLANNING. AND I, AS AN INDIVIDUAL
8 PROPERTY OWNER, SCRATCHED MY HEAD AND WONDER: HOW IS IT THAT
9 REGIONAL PLANNING'S POSITIONS CAN BE COMPLETELY IGNORED BY
10 ANYBODY AT THIS POINT AS THOUGH THEY NEVER HAD A HEARING OR
11 THAT THEY DON'T HAVE THE COMPETENCY TO EVALUATE CAREFULLY ALL
12 OF THE ISSUES THAT WERE BEFORE THEM AND THAT SUDDENLY IT CAN
13 BE REVERSED OR PROPOSED TO BE REVERSED ON A VERY, IN MY
14 OPINION, A BASELESS POSITION? SO I'D ENCOURAGE YOU AS THE
15 BOARD OF SUPERVISORS TO CONSIDER THIS CAREFULLY, THAT THE
16 REGIONAL PLANNING HAS TO HAVE SOME CREDIBILITY, THAT THEIR
17 RULINGS HAVE TO HAVE SOME WEIGHT. AND IF ALEJANDRINA AND SUZIE
18 TAE AND THE STAFF, AFTER FOUR YEARS OF EXAMINING THIS,
19 SUDDENLY REALIZE THEY MADE A MISTAKE, I HAVE TO QUESTION IF
20 THEY KNOW HOW WELL THEY KNOW HOW TO DO THEIR JOB. AND I FIND
21 IT OUTRAGEOUS THAT WE'RE HERE TODAY AND OUR PROJECT IS GOING
22 TO BE DIMINISHED TO A POINT WHERE IT MAKES IT IMPOSSIBLE FOR
23 US TO GO FORWARD. THANK YOU.

24



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1 **SUP. BURKE, CHAIR:** ALL RIGHT. WOULD YOU PLEASE STATE YOUR
2 NAME?

3

4 **STEVE HUNTER:** GOOD MORNING, MADAME CHAIR, BOARD MEMBERS. MY
5 NAME IS STEVE HUNTER. I'M WITH LAND DESIGN CONSULTANTS, 199
6 SOUTH LOS ROBLES, SUITE 250 IN PASADENA. I'M A CONSULTING
7 ENGINEER AND LAND PLANNER FOR THE APPLICANTS. AS THE APPLICANT
8 HAS STATED, THIS PROJECT WENT THROUGH FOUR YEARS OF PROCESS.
9 AND DURING THAT PROCESS, WE HAD MET WITH STAFF ON THE
10 CONSISTENCY OF THE DENSITY CONTROL C.U.P. USING THE ENTIRE
11 21.82 ACRES. STAFF, DURING THEIR EVALUATION, LOOKED AT THE
12 POSSIBILITY THIS PROJECT MAY NEED A ZONE CHANGE. IN THEIR
13 EVALUATION PRIOR TO GOING TO A PUBLIC HEARING, THEY MADE THE
14 DETERMINATION THAT THE 21 ACRES COULD BE USED UNDER THE
15 DENSITY CONTROLLED C.U.P. TO CLUSTER THE 10 UNITS THAT'S
16 ALLOWED UNDER THE SANTA CLARITA VALLEY LOCAL PLAN. THE
17 QUESTION THAT'S BEFORE THE BOARD TODAY IS REALLY A POLICY
18 DECISION. CAN AN APPLICANT WHO OWNS 21 ACRES, WHERE PART OF
19 THAT PROJECT OR IN THIS CASE ALL OF THE PROJECT, WAS PART OF
20 TWO PREVIOUS ACTIONS BY THE COMMISSION AND ONE ACTION BY THE
21 BOARD? PART OF THE PROJECT IS A-2-2. THE OTHER PART OF THE
22 PROJECT IS R.P.D. 5,000, 3-1/2 UNITS TO THE ACRE. WHAT WE
23 PROPOSED AND THAT STAFF EVALUATED IS USING THE ENTIRE 21
24 ACRES, THE TWO ZONES, TO CLUSTER THE 10 UNITS PERMITTED UNDER
25 THE PLAN. IN MY VIEW, THAT IS A POLICY DECISION THE BOARD HAS



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1 TO MAKE, NOT A PLANNING DECISION IN THE CODE FOR STAFF TO
2 EVALUATE AND MAKE A POSITION. IT'S REALLY THE POSITION OF THE
3 BOARD TO MAKE THAT DETERMINATION. IT'S A POLICY ISSUE. IT'S
4 NOT A ZONING ISSUE. SECOND OF ALL, THE APPELLANTS ON THIS
5 PROJECT WHO ARE ADJACENT TO US ON TRACK 52302, THAT IS ALSO A
6 DENSITY CONTROLLED C.U.P., THE ZONING ON THAT IS ALSO A-2-2.
7 SO WHAT THE APPELLANTS ARE ASKING FOR IS SOMETHING THAT THEY
8 WERE GRANTED. AND THEY'RE ASKING THE BOARD TO REMOVE THAT FROM
9 THE APPLICANT THAT'S BEFORE THE BOARD TODAY. THAT DOESN'T
10 QUITE SEEM FAIR. I THINK THE BOARD NEEDS TO UNDERSTAND THAT.
11 THE ADJACENT PROJECT IS ALSO A DENSITY-CONTROLLED C.U.P. IT
12 REDUCED AND CLUSTERED THE A-2-2 ZONING, AS WELL. THAT'S THE
13 SAME THING WE'RE ASKING FOR. THAT PARTICULAR PROJECT TO BUILD
14 THOSE 11 LOTS REQUIRED A HALF MILLION YARDS OF GRADING. THIS
15 PROJECT, IN CLUSTERING TO THE SOUTHWESTERLY PORTION REQUIRES
16 166 YARDS. I THINK THAT THIS PROJECT IS CLUSTERING THE ZONING.
17 WHEN WE TALK ABOUT THE OPEN SPACE ON TRACT 46564 IN THAT FIVE
18 ACRES, IT WAS NOT USED FOR OUR OPEN SPACE, IT WAS NOT USED
19 UNDER THE GENERAL PLAN TO CALCULATE OUR DENSITY. IT IS ONLY
20 BEING USED TO CALCULATE FOR DENSITY-CONTROLLED C.U.P. NOW
21 STAFF ALSO STATED THAT THAT FIVE ACRES IS OPEN SPACE. IT WAS
22 NOT RECORDED ON THAT MAP AS OPEN SPACE. IT WAS A RESIDENTIAL
23 LOT THAT A LOT LINE ADJUSTMENT OCCURRED. AND BASED ON THAT,
24 THE ONLY RESTRICTION ON THAT WAS A SECOND UNIT RESTRICTION.
25 NOW, WE CAN ALL AGREE THAT BY DEFINITION IT'S PRIVATE OPEN



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1 SPACE. WHAT WE'VE DONE IS TAKEN THAT FIVE ACRES, PUT IT INTO
2 OUR OPEN SPACE AS PERMANENT OPEN SPACE AND AS CONDITIONED BY
3 THE COMMISSION, TO PUT A 20-FOOT TRAIL EASEMENT ACROSS THAT
4 OPEN SPACE TO BENEFIT THOSE IN THE SAN FRANCISQUITO CANYON.
5 THE THIRD ISSUE IS WE ARE NOT IN SAN FRANCISQUITO CANON, WE'RE
6 ON LOWRIDGE. YOU CAN'T SEE THIS PROJECT FROM ANYWHERE IN SAN
7 FRANCISQUITO CANYON UNLESS YOU'RE STANDING ON LOWRIDGE. SO
8 HOPEFULLY THE BOARD WILL RE-EVALUATE WHAT THEY JUST DID BASED
9 ON THE INFORMATION BEFORE THEM NOW. AND AGAIN, I JUST WANT TO
10 STATE THAT IT IS A POLICY DECISION TO BE ABLE TO CLUSTER THE
11 ZONING UNDER A PREVIOUS CASE, AND IT'S NOT IN THE CODE FOR
12 STAFF TO INDICATE TO THE BOARD IT ONLY ALLOWS EIGHT UNITS.
13 THAT'S A DECISION THIS BOARD HAS TO MAKE. THANK YOU.

14

15 **ELAIN CHEN:** MY NAME IS ELAINE CHEN. I REPRESENT MY FAMILY WHO
16 OWNS THIS PIECE OF PROPERTY. WE BOUGHT THIS PIECE OF PROPERTY
17 IN SEPTEMBER, 2004. AT THAT TIME, WE WERE ADVISED THIS SHOULD
18 BE A NINE-MONTH APPROVAL PROCESS PROJECT. AND HERE WE ARE FOUR
19 YEARS LATER, IT'S STILL IN DISPUTE. AS YOU ALL KNOW, THE REAL
20 ESTATE MARKET HAS CHANGED DRASTICALLY DURING THE LAST YEAR OR
21 TWO YEARS, AND SO WE PRETTY MUCH MISSED THE WINDOW. AND THIS
22 PROPERTY WAS IN DEFAULT WITH THE BANK IN JANUARY BECAUSE IT
23 WAS SUBJECT TO RE-APPROVAL AND WE DON'T HAVE THE APPROVAL BY
24 THE PLANNING. AND THE DEFAULT WAS CURED IN MAY. SO THE
25 REVERSAL OF THIS DECISION IS GOING TO DRASTICALLY IMPACT THE



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1 FINANCIAL VIABILITY OF THIS PROJECT AGAIN. AND LIKE STEVE
2 SAID, WE ADVISED WITH A LAWYER, AND WE WERE TOLD WE DID NOT
3 VIOLATE ANY LAW WITH THE APPROVAL GRANTED ON MAY 14TH. SO I AM
4 PLEADING THE BOARD OF SUPERVISORS TO STAY WITH THE DECISION
5 THAT REGIONAL PLANNING COMMISSIONER HAD MADE ON MAY 14TH.
6 THANKS SO MUCH.

7

8 **MICHAEL CULVER:** MY NAME IS MICHAEL CULVER. I JUST WANT TO
9 REITERATE WHAT MY MOTHER SAID AND THE OTHER PROPONENTS, AND
10 JUST PLEASE IMPORE YOU TO RECONSIDER.

11

12 **SUP. ANTONOVICH:** TO THE REGIONAL PLANNING, WHAT IS THE LOT
13 SIZE OF THE THREE NEAREST HOMES IN LOWRIDGE?

14

15 **ALEJANDRINA BALDWIN:** I DON'T HAVE THAT. BUT I COULD GET THAT
16 FOR YOU. I'M SORRY. I DON'T HAVE A CALCULATOR NEXT TO ME. I
17 DON'T KNOW IF THE APPLICANT HAS THAT.

18

19 **SUP. ANTONOVICH:** DO YOU HAVE THAT INFORMATION, DO YOU KNOW?

20

21 **MICHAEL CULVER:** YES, WE DO. WE HAVE BOTH A COPY OF THE
22 ASSESSOR'S MAP AND THE RECORDED MAP.

23

24 **SUP. ANTONOVICH:** THE THREE NEAREST HOMES?

25



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1 **MICHAEL CULVER:** LOTS 1 THROUGH 3, FROM 36,000 SQUARE FEET TO
2 48,000 SQUARE FEET. THOSE ARE THE LOTS 1 THROUGH 3.

3

4 **SUP. ANTONOVICH:** SO THAT WOULD BE OVER A HALF ACRE EACH. CLOSE
5 TO AN ACRE.

6

7 **MICHAEL CULVER:** THOSE LOTS ARE OVER HALF AN ACRE. SOME OF THAT
8 IS HILLSIDE THAT SLOPES DOWN TO THE APPLICANT'S PROPERTY.

9

10 **SUP. ANTONOVICH:** WHAT IS THE AVERAGE SIZE OF ALL HOMES IN
11 LOWRIDGE, SQUARE FOOTAGE?

12

13 **MICHAEL CULVER:** JUST THE 11 LOTS ON LOWRIDGE?

14

15 **SUP. ANTONOVICH:** THE NUMBER OF HOMES THAT ARE IN LOWRIDGE.

16

17 **MICHAEL CULVER:** WELL A LOT OF THE HOMES IN LOWRIDGE ARE ONLY
18 5,000 SQUARE FEET. SO WHEN YOU SAY ALL THE HOMES ON LOWRIDGE,
19 THE ADJACENT DEVELOPMENT IS A 5,000 SQUARE FOOT LOT SIZE. SO
20 THE HOMES ADJACENT TO THIS TRACT TO THE EAST ARE ALL 5,000
21 SQUARE FEET.

22

23 **SUP. ANTONOVICH:** WHAT ABOUT THE OTHER LOTS IN SAN FRANCISQUITO
24 CANYON? WHAT ARE THOSE SIZE LOTS?

25



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1 **MICHAEL CULVER:** THOSE LOTS ON THE OTHER SIDE OF THE RIDGE
2 WITHIN THIS TRACT 43171 RANGE IN SIZE FROM 5 ACRES TO 10
3 ACRES.

4

5 **SUP. ANTONOVICH:** THE LOT SIZE OF THE THREE NEAREST HOMES IN
6 LOWRIDGE ARE GREATER THAN A HALF ACRE.

7

8 **MICHAEL CULVER:** THAT IS CORRECT.

9

10 **SUP. ANTONOVICH:** AND WHAT WE ARE PROPOSING IS THAT THE HOMES
11 THAT WOULD BE DEVELOPED IN THIS PROJECT WOULD BE A MINIMUM OF
12 A HALF ACRE.

13

14 **MICHAEL CULVER:** YES.

15

16 **SUP. ANTONOVICH:** THAT'S THE MOTION TO KEEP THOSE HOMES
17 COMPATIBLE.

18

19 **MICHAEL CULVER:** BUT WE CAN STILL DESIGN 10 HOMES AT A HALF
20 ACRE ON THIS SITE.

21

22 **SUP. ANTONOVICH:** BUT THEY'RE NOT GOING TO BE HALF ACRE.

23

24 **MICHAEL CULVER:** WE CAN DESIGN THE 10-UNIT SUBDIVISION WITH
25 HALF ACRE LOTS.



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1

2 **SUP. ANTONOVICH:** WITHOUT CLUSTERING?

3

4 **MICHAEL CULVER:** CLUSTERING THOSE HALF ACRES.

5

6 **SUP. ANTONOVICH:** YOU'D HAVE TO CLUSTER.

7

8 **MICHAEL CULVER:** YES. WE CAN CLUSTER HALF ACRE LOTS AND STILL
9 MAINTAIN.

10

11 **SUP. ANTONOVICH:** BUT YOU'D STILL BE CLUSTERING. THE THREE
12 HOMES NEAREST THAT LOWRIDGE THAT ARE HALF ACRE MINIMUM, ARE
13 THOSE CLUSTERED?

14

15 **MICHAEL CULVER:** THOSE ARE CLUSTERED.

16

17 **SUP. ANTONOVICH:** WHAT IS THE DISTANCE BETWEEN THE HOMES?

18

19 **MICHAEL CULVER:** ABOUT 350 FEET. OUR NEAREST HOME TO THEIRS IS
20 ABOUT 350 FEET. WE'RE NOT NEXT TO THEM. JUST THE PROPERTY
21 BOUNDARIES ARE NEXT TO THEM. WHAT'S NEXT TO THEM IS AN OPEN
22 SPACE LOT THAT'S 17.8 ACRES.

23



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1 **SUP. ANTONOVICH:** THE PROPOSAL THAT WAS PROPOSED WERE SMALLER,
2 11,000 TO 13,000 SQUARE FOOT LOTS, AT MOST 15,000 AND THE
3 LARGEST WAS 25,000. RIGHT?

4

5 **MICHAEL CULVER:** OUR AVERAGE IS 15,495 SQUARE FEET.

6

7 **SUP. ANTONOVICH:** BUT THAT'S BECAUSE YOU HAVE SOME, THE LARGEST
8 IS 25,000 AND YOUR SMALLEST IS 11,000?

9

10 **MICHAEL CULVER:** THAT'S CORRECT, YES.

11

12 **SUP. ANTONOVICH:** SO YOUR SMALLEST ONE IS STILL GOING TO BE
13 LESS THAN A HALF ACRE.

14

15 **MICHAEL CULVER:** THAT'S CORRECT.

16

17 **SUP. ANTONOVICH:** AND THE INTENT WAS TO HAVE HALF-ACRE LOTS.

18

19 **MICHAEL CULVER:** WE CAN REDESIGN THE LOT LINES AND REDESIGN THE
20 PADS TO ACCOMMODATE IF THAT IS THE MAGICAL SIZE OF THE LOT TO
21 GET HALF-ACRE LOTS. LIKE OUR NEIGHBOR, THE PADS ARE NOT A HALF
22 AN ACRE.

23

24 **SUP. ANTONOVICH:** BUT YOU HAVE TO STAY WITHIN THE PROPOSED
25 DEVELOPMENT FOOTPRINT, RIGHT?



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1

MICHAEL CULVER: WE CAN TRY TO MODIFY OUR FOOTPRINT TO GET ALL
HALF-ACRE LOTS. IT'S MOSTLY ADJUSTING THE LOT LINES TO GET A
HALF ACRE. THE PADS WOULD PRIMARILY STAY THE SAME SIZE. WE
WOULD BE DOING WHAT THE ADJACENT TRACT DID. THEY EXTENDED THE
LOT LINES DOWN THE HILLSIDES TO GET THEIR LARGER LOTS. WHAT WE
BASICALLY DID IS PUT ALL THAT WE COULD INTO A PERMANENT OPEN
SPACE LOT, WHICH IS DIFFERENT THAN THE ADJACENT TRACT. THEY
HAVE NO OPEN SPACE LOT. THEY ONLY HAVE ON ONE LOT AN OPEN
SPACE EASEMENT RESERVATION. EVERYTHING ELSE IS WITHIN
RESIDENTIAL LOTS. WE FOLLOWED THE GENERAL PLAN AND CLUSTERED
AND PUT AS MUCH OF THE PROPERTY INTO AN OPEN SPACE LOT TO BE
DEDICATED PERMANENTLY AS OPEN SPACE WITH A TRAIL. THAT'S A
LITTLE DIFFERENT THAN THE CLUSTER DESIGN ON THE ADJACENT
PROPERTY. SO WE CAN TAKE THE SAME THEME AND JUST RE-ADJUST OUR
LOT LINES AND ROTATE SOME OF OUR PADS AND MAINTAINED HALF-ACRE
LOTS. IT DOESN'T REALLY CHANGE OUR FOOTPRINT. IT ONLY CHANGES
THE ACREAGE OF THE OPEN SPACE.

19

SUP. ANTONOVICH: WHEN REGIONAL PLANNING MADE A RECOMMENDATION
TO EIGHT, DOWNSIZED FROM 10 TO 8, WHAT WAS YOUR BASIS FOR
THAT?

23

ALEJANDRINA BALDWIN: THE REASON FOR THAT WAS THAT STAFF
RECALCULATED THE DENSITY PER THE ZONE. DENSITY WAS CALCULATED



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1 PER THREE DIFFERENT FACTORS. THE SANTA CLARITA VALLEY AREA
2 PLAN, THE SLOPE DENSITY ANALYSIS AND THE ZONE. THE MAXIMUM
3 YIELDS 12 UNITS WHEN YOU LOOK AT THE SLOPE DENSITY ANALYSIS.
4 AND THE SANTA CLARITA VALLEY AREA PLAN. BUT PER THE ZONE, THE
5 MAXIMUM IS EIGHT UNITS. THE REASON IS IF WE WERE TO SUBTRACT
6 THE FIVE EASTERN ACRES THAT WERE OPEN SPACE PER THE PRIOR
7 SUBDIVISION TRACT 46564 WE'RE LEFT WITH 16.81 ACRES OF THIS
8 PROJECT SITE. THE ZONE IS A-2-2 WHICH WOULD REQUIRE TWO-ACRE
9 LOTS EVEN IF WE CLUSTER. FOR THAT REASON, THE MAXIMUM DENSITY
10 WOULD BE 8 UNITS ONLY BASED ON THE 16.81 ACRES AND NOT THE 5
11 ACRES OF OPEN SPACE.

12
13 **SUP. ANTONOVICH:** AND WITH THE PROPOSAL THAT MINIMUM SIZE WOULD
14 BE 20,000 SQUARE FEET BASICALLY, WE DON'T KNOW WHAT THAT TOTAL
15 NUMBER WOULD BE YET, YOU'D HAVE TO CALCULATE THAT.

16
17 **ALEJANDRINA BALDWIN:** THAT IS CORRECT. WE WOULD LOOK AT THE
18 ZONE FOR THE MAXIMUM, AND WE WOULD LOOK THEN TO THAT
19 REQUIREMENT, AS WELL.

20
21 **MICHAEL CULVER:** WHAT STAFF IS DOING IN THEIR EVALUATION, WE
22 AGREE WITH STAFF THAT WE'RE NOT USING THE GENERAL PLAN DENSITY
23 OF THE FIVE ACRES. WE'RE NOT USING THE OPEN SPACE, WHICH,
24 BASED ON WHAT WAS APPROVED IN THE TRACT, IT IS NOT OPEN SPACE.
25 IT HAS A RESTRICTION OF A SECOND UNIT. SO THERE IS A LITTLE



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1 BIT OF DIFFERENCE IN THE DEFINITION. BUT LET'S CALL IT OPEN
2 SPACE. WE'RE NOT USING IT AS OPEN SPACE. ALL WE ARE DOING IS
3 TAKING THE UNDERLYING ZONING OF THE OWNERSHIP AND CLUSTERING
4 THE GENERAL PLANNED DENSITY. STAFF HAS SAID IT'S 12 UNITS.
5 WE'RE CLUSTERING 10. SO WHAT REALLY THE STAFF IS DOING IS
6 EXCLUDING THE FIVE ACRE ZONING, WHICH IS R.P.D., FROM OUR USE
7 UNDER OUR DENSITY CONTROL C.U.P. IT DOESN'T STATE IN THE CODE
8 THAT STAFF CAN JUST ARBITRARILY DO THAT. THAT IS A POLICY
9 DECISION. THERE IS NO CURRENT POLICY ON THAT. SO WHAT THE
10 BOARD HAS TO LOOK AT IS: DO WE HAVE THE RIGHT TO CLUSTER OUR
11 TWO ZONES? TO CLUSTER THE GENERAL PLAN DENSITY INTO ONE
12 PORTION OF THE OWNERSHIP? WE ARE MAINTAINING THE FIVE ACRES AS
13 OPEN SPACE. WE ARE TAKING IT FROM A RESIDENTIAL LOT WITH A
14 SECOND UNIT RESTRICTION AND PUTTING IT INTO A PERMANENT OPEN
15 SPACE LOT AS A PERMANENT RESERVATION WITH PUBLIC TRAIL USE IN
16 IT. SO WE ARE IMPROVING WHAT THE BOARD DID IN 1993 WHEN THOSE
17 MAPS WERE RECORDED. WE ARE ACTUALLY MAKING THAT FIVE ACRES
18 OPEN SPACE WHERE TODAY IT IS NOT OPEN SPACE. IT ONLY HAS A
19 SECOND UNIT RESTRICTION. AND WHAT WE'RE DOING IS USING OUR
20 ENTIRE OWNERSHIP OF 21 ACRES TO CLUSTER THE GENERAL PLAN. SO
21 IT'S NOT A ZONING ISSUE, IT IS A POLICY DECISION THAT THE
22 BOARD HAS TO MAKE. DOES THE APPLICANT HAVE THE RIGHT TO USE
23 BOTH UNDERLYING ZONING TO CLUSTER THE GENERAL PLAN DENSITY?
24 THAT'S REALLY WHAT WE'RE DOING. AND IT IS NOT A ZONING-RELATED
25 ISSUE. YOU CAN'T JUST LOOK AT THE ZONING CODE AND SAY "YOU



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1 CAN'T DO THIS." BECAUSE IT'S NOT IN THE ZONING CODE TO DO
2 THAT. AND I DON'T BELIEVE THAT THE BOARD OR THE COMMISSION HAS
3 ACTUALLY MADE A POLICY DECISION TO SAY THAT YOU CAN'T. THE
4 REALITY OF IT IS IF YOU LOOK AT THE LOGIC, THE UNDERLYING
5 ZONING OF A-2-2 WAS ALSO PART OF AN UNDERLYING PROJECT THAT
6 ALSO HAD A CONDITIONAL USE PERMIT. IF YOU USE THE LOGIC THAT
7 WE CAN'T USE THE ZONING ON ONE PROPERTY, THEN WE SHOULDN'T BE
8 ABLE TO USE THE ZONING ON THE PRIMARY PROPERTY, BECAUSE IT WAS
9 ALSO PART OF A PRIOR PROJECT WITH A CONDITIONAL USE PERMIT. SO
10 I THINK LOGICALLY YOU HAVE TO LOOK AT IT AND SAY CAN WE OR CAN
11 WE NOT CLUSTER THE TWO ZONES?

12

13 **SUP. ANTONOVICH:** THE MOTION THAT WAS PASSED DOES NOT SAY A
14 NUMBER OF LOTS. IT JUST SAYS THAT EACH OF THE LOTS HAS TO BE A
15 MINIMUM OF 20,000 SQUARE FEET.

16

17 **MICHAEL CULVER:** BUT I THINK THE BOARD HAS TO DIRECT THE STAFF
18 ON: DO WE HAVE THE RIGHT TO CLUSTER THE TWO ZONES? BECAUSE
19 THAT GOES RIGHT TO THE HEART OF HOW MANY UNITS UNDER THE
20 ZONING WE'RE ALLOWED TO HAVE. THERE'S NO QUESTION THAT WE'RE
21 IN CONFORMANCE WITH THE SANTA CLARITA VALLEY LOCAL PLAN WITH
22 CLUSTERING AND THE NUMBER OF UNITS WE'RE PROPOSING. WE'RE
23 ACTUALLY, BASED ON STAFF'S ANALYSIS, WE'RE LESS THAN WHAT THE
24 MAXIMUM NUMBER OF UNITS THAT ARE PERMITTING. SO IT'S A
25 DECISION THAT THE BOARD HAS TO GIVE STAFF DIRECTION. CAN WE



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1 USE THE 21 ACRES TO CLUSTER THE ZONING OF THE GENERAL PLAN?
2 BECAUSE IT'S NOT IN THE CODE FOR STAFF TO MAKE THAT DECISION
3 ON THEIR OWN.

4

5 **SUP. ANTONOVICH:** THANK YOU. I MOVE THE PREVIOUS MOTION.

6

7 **SUP. YAROSLAVSKY:** SECOND.

8

9 **SUP. BURKE, CHAIR:** MOVED AND SECONDED. WITHOUT OBJECTION, SO
10 ORDERED. THE PREVIOUS QUESTION HAS BEEN MOVED. ALL RIGHT.
11 SUPERVISOR ANTONOVICH IS MOVING THE MOTION THAT HE PREVIOUSLY
12 SET FORTH. SECONDED BY SUPERVISOR YAROSLAVSKY. WITHOUT
13 OBJECTION, THE MOTION THAT'S ON THE TABLE IS APPROVED.

14

15 **SUP. ANTONOVICH:** THANK YOU. ITEM NO. 11, LET ME FIRST CALL UP
16 ERWIN FELLNER, BEN BOYCHUK, MOON SUP UM, AND ROSA SHIN.

17

18 **SUP. BURKE, CHAIR:** PLEASE COME FORWARD, EVERYONE WHO'S NAME
19 HAS BEEN CALLED, PLEASE COME FORWARD.

20

21 **SUP. ANTONOVICH:** ERWIN FELLNER, BEN BOYCHUK, MOON SUP UM, AND
22 ROSA SHIN.

23

24 **SUP. BURKE, CHAIR:** DO WE HAVE A PRESENTATION FROM THE
25 DEPARTMENT FIRST?



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1

2 **SUP. ANTONOVICH:** LET'S HEAR FROM REGIONAL PLANNING FIRST.

3

4 **JODIE SACKETT:** THE PROJECT BEFORE YOU THIS MORNING, AGENDA
5 ITEM 11, IS A REQUEST FOR A RESIDENTIAL DEVELOPMENT FOR THREE
6 SINGLE-FAMILY PARCELS ON 0.73 GROSS ACRES LOCATED AT 2716
7 WILLOWHAVEN DRIVE IN THE LA CRESCENTA ZONED DISTRICT. THE
8 PROJECT REQUESTS A CONDITIONAL USE PERMIT FOR URBAN HILLSIDE
9 MANAGEMENT AND A VARIANCE TO ALLOW LESS THAN THE MINIMUM
10 REQUIRED NET LOT AREA IN THE R-1-10,000 ZONE FOR TWO PROPOSED
11 SINGLE-FAMILY PARCELS AND RETAINING WALLS HIGHER THAN 6 FEET
12 WITHIN THE SIDE AND REAR YARD SETBACKS. A NEGATIVE DECLARATION
13 HAS BEEN PREPARED FOR THIS PROJECT DETERMINING THAT
14 ENVIRONMENTAL IMPACTS ARE LESS THAN SIGNIFICANT OR HAVE NO
15 IMPACT. THE PROJECT WAS HEARD BEFORE THE REGIONAL PLANNING
16 COMMISSION ON MAY 21ST, 2008. CONCERNS RAISED BY LOCAL
17 RESIDENTS AT THE PUBLIC HEARING INCLUDED: OVERALL COMMUNITY
18 INCOMPATIBILITY OF THE PROPOSED DEVELOPMENT, AESTHETIC IMPACT
19 OF THE RETAINING WALLS, AND THE FUTURE RESIDENCES TO BE
20 CONSTRUCTED, SLOPE STABILITY, DRAINAGE, ADEQUATE AMOUNTS OF
21 OPEN SPACE, ALL ROUTE IMPACTS TO THE EXISTING ROADS,
22 ADDITIONAL TRAFFIC TO BE GENERATED, AND TRAFFIC SAFETY AND
23 PARKING CONCERNS ALONG ROCK PINE LANE. THE COMMISSION DENIED
24 THE PROJECT ON JUNE 18TH, 2008 FOR REASONS RELATED TO THE
25 INCONSISTENCY OF THE DEVELOPMENT WITH COUNTY HILLSIDE



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1 MANAGEMENT PROVISIONS AND INCOMPATIBILITY WITH THE CHARACTER
2 OF THE COMMUNITY. THE APPLICANT OF THE PROJECT, MR. ALEX
3 ROGIC, APPEALED THE DECISION OF THE COMMISSION TO YOUR BOARD.
4 AND THIS CONCLUDES STAFF'S PRESENTATION.

5

6 **SUP. ANTONOVICH:** WHAT IS THE SIZE OF MR. ROGIC'S PROPERTY?

7

8 **JODIE SACKETT:** THE SIZE IS APPROXIMATELY 31,800 SQUARE FEET.

9

10 **SUP. ANTONOVICH:** WHAT IS THE RANGE OF LOT SIZES ALONG THE
11 WILLOWHAVEN AND ROCK PINE AND WITHIN THE 1,000-FOOT RADIUS?

12

13 **JODIE SACKETT:** THE LOT SIZES RANGE FROM APPROXIMATELY 7,500
14 SQUARE FEET TO OVER 10,000 SQUARE FEET. BUT THE MAJORITY OF
15 THE LOT SIZES WITHIN THE IMMEDIATE AREA ARE MUCH SMALLER THAN
16 MR. ROGIC'S PROPERTY.

17

18 **SUP. ANTONOVICH:** AND THE CRESCENTA VALLEY, LA CRESCENTA VALLEY
19 TOWN COUNCIL CONSIDERED THE CASE. DID THEY TAKE THE POSITION?

20

21 **JODIE SACKETT:** THE TOWN COUNCIL DECIDED TO REMAIN NEUTRAL
22 REGARDING THIS PROJECT.

23

24 **SUP. ANTONOVICH:** DID THE PROPOSED HOMES MEET THE ZONING
25 STANDARDS FOR PARKING AND HEIGHT?



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1

2 **JODIE SACKETT:** YES, THEY DO.

3

4 **SUP. ANTONOVICH:** AND IS THE DEVELOPMENT OF THIS PROPERTY
5 COMPATIBLE WITH THE SURROUNDING COMMUNITY?

6

7 **JODIE SACKETT:** STAFF FOUND THAT THE DEVELOPMENT AS PROPOSED IS
8 COMPATIBLE.

9

10 **SUP. ANTONOVICH:** WHAT WAS THE STAFF'S ORIGINAL RECOMMENDATION
11 TO THE R.P.C.?

12

13 **JODIE SACKETT:** STAFF'S ORIGINAL RECOMMENDATION TO THE
14 COMMISSION WAS APPROVAL OF THIS PROJECT.

15

16 **SUP. ANTONOVICH:** SO ALL THE PROS AND THE CONS. FIRST MR.
17 FELLNER?

18

19 **ERWIN FELLNER:** MY NAME IS ERWIN FELLNER. I LIVE ON 2734 ROCK
20 PINE LANE IN LA CRESCENTA. SUPERVISORS, LADIES AND GENTLEMEN,
21 22 YEARS AGO MR. ROGIC'S ATTEMPT TO SUBDIVIDE HIS PROPERTY AND
22 CONSTRUCT ONE ADDITIONAL RESIDENCE WAS REJECTED BY THE L.A.
23 COUNTY HEARING OFFICER. THE REGIONAL PLANNING COMMISSION, IN A
24 SUBSEQUENT HEARING, DENIED THE PROPOSED PROJECT. ULTIMATELY
25 THE DENIAL WAS SUSTAINED BY THE L.A. BOARD OF SUPERVISORS. I



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1 BELIEVE THE REASON FOR DENIAL BY THE DEPARTMENTS IN 1986 ARE
2 STILL VALID REASONS FOR DENIAL OF THE CURRENT PROPOSED
3 PROJECT. I'D LIKE TO ADD: THIS PROPOSED SUBDIVISION DOES NOT
4 COMPLY WITH THE RESTRICTIONS CONTAINED IN THE COUNTY RECORDED
5 DOCUMENT TITLED "CONDITIONS, COVENANTS AND RESTRICTIONS," THE
6 C.C.N.R.S. THE C.C.N.R. IS A LIVING DOCUMENT AND IS
7 ENFORCEABLE. RELATIVE TO THE CURRENT PROPOSAL, IT IS MY
8 UNDERSTANDING THAT THE PLANNING COMMISSION'S PRIMARY CONCERN
9 WAS AND IS TO ENSURE THAT THE PROPOSED SUBDIVISION COMPLIES
10 WITH STATE, LOCAL REGULATIONS REGARDING SUBDIVISIONS,
11 ENVIRONMENTAL IMPACT, ET CETERA, BUT DOES NOT GET INTO THE
12 APPROVING OF THE ENGINEERING OF PROPOSED SUBDIVISIONS. I HAVE
13 SERIOUS CONCERNS AFTER REVIEWING THE STAFF REPORT. SEVERAL
14 PARAGRAPHS ARE OF INTEREST AND I QUESTION THE ACCURACY OF
15 INFORMATION SUBMITTED TO THE PLANNING DEPARTMENT. IN THIS
16 PROPOSAL, UNDER URBAN HILLSIDE MANAGEMENT PHYSICAL FEATURES,
17 THE FOLLOWING IS STATED, I QUOTE, "WITH SLOPES VARYING FROM
18 MODERATE TO STEEP." THE NEXT IS "THE SUBJECT PROPERTY CONTAINS
19 HILLSIDE SLOPES GREATER THAN 25 PERCENT." END OF QUOTE.
20 ANOTHER PARAGRAPH SAYS "INITIAL STUDY HAZARD DASH ONE
21 GEOTECHNICAL." AGAIN I QUOTE. "WILL THE PROJECT ENTAIL
22 SUBSTANTIAL GRADING AND/OR ALTERATION TO TOPOGRAPHY, INCLUDING
23 SLOPES OF MORE THAN 25 PERCENT" END OF QUOTE. THE MAYBE BOX IS
24 CHECKED. I JUST WANT TO MENTION, WE ARE REMOVING 59,000 CUBIC
25 FEET OF DIRT. REGARDING THE ARCHITECTURAL PLAN, THE DRAWING



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1 EXHIBIT A, SECTIONS BB AND CC AND EE ARE MISLEADING. THE SLOPE
2 OF ALL THREE SECTIONS THROUGH THE HILLSIDE ARE PRESENTED AT
3 APPROXIMATELY 25 TO 27 PERCENT INCLINE, WHERE THE HILLSIDE IS
4 IN FACT 40 TO 50 PERCENT. BUT THIS IS NOT ALL. SECTION BB AND
5 EE OF THE ARCHITECTURAL PLAN ARE MISSING A 7-FOOT HIGH
6 RETAINING WALL, 50-FOOT AND 70-FOOT LONG RESPECTIVELY. THIS IS
7 NOT A LITTLE OVERSIGHT HERE. THESE TWO WALLS ON THE VERY TOP
8 OF THE HILL ARE NOT SHOWN IN SECTION BB AND EE.

9

10 **SUP. ANTONOVICH:** DO YOU WANT TO WRAP UP YOUR STATEMENT? DO YOU
11 WANT TO CLOSE?

12

13 **SUP. BURKE, CHAIR:** YOUR TIME IS UP. BUT PERHAPS SOMEONE ELSE
14 CAN TAKE UP THE SAME.

15

16 **ERWIN FELLNER:** CAN I HAVE ANOTHER MINUTE? THESE ERRORS WILL
17 CHANGE THE GRADING OF THESE HILLSIDES ENTIRELY

18

19 **SUP. BURKE, CHAIR:** SIR. WE REALLY ARE GOING TO HAVE TO CALL ON
20 SOMEONE ELSE TO SPEAK. YOU CAN PASS YOUR STATEMENT ON FOR THEM
21 TO READ.

22

23 **SPEAKER:** CAN I GIVE HIM MINE?

24

25 **SUP. BURKE, CHAIR:** SURE.



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1

ERWIN FELLNER: GOOD. THESE ERRORS WILL CHANGE THE GRADING OF
THIS HILLSIDE ENTIRELY. RETAINING WALLS WILL GO TO 45-FOOT
HIGH PROTRUDING 6 FEET ABOVE THE HIGHEST POINT OF THE
BUILDINGS. AFTER ANALYZING THESE DOCUMENTS SPECIFICALLY, THE
TWO DRAWINGS, THE ARCHITECTURAL PLAN AND EXHIBIT A, AND A
SUBSTANTIAL AMOUNT OF THE PROPOSAL, I HAVE FOUND THEY ARE
INCOMPLETE, INACCURATE AND IT SEEMS PURPOSELY MISLEADING.
FINALLY, THE PROPOSED SUBDIVISION IS NOT CONSISTENT WITH THE
COUNTY GENERAL PLAN. THE DESIGN WILL CREATE A VERY STEEP LOT
THAT IS INCOMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD.
IT DOES NOT IMPROVE THE COMMUNITY AND I BELIEVE IT WILL
SERIOUSLY REDUCE THE VALUE OF OUR HOME AND CERTAINLY THE
SURROUNDING PROPERTIES. FOR THESE REASONS, AT A PUBLIC HEARING
JUNE 28TH, 2008, THE REGIONAL PLANNING COMMISSION IN A VOTE 5-
0 DENIED MR. ROGIC'S REQUEST FOR THE VARIANCE AND CONDITIONAL
USE PERMIT TO SUBDIVIDE HIS PROPERTY. I AM HOPING THAT THE
BOARD OF SUPERVISORS WILL SUSTAIN THE DENIAL. OBVIOUSLY I'M
OPPOSING ANY SUCH SUBDIVISION AND THE BUILDING IN OUR
COMMUNITY. THANK YOU VERY MUCH FOR LISTENING.

21

SUP. ANTONOVICH: THANK YOU.

23

SUP. BURKE, CHAIR: THANK YOU. WOULD YOU STATE YOUR NAME,
PLEASE?

25



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1

2 **MOON SUP UM:** MY NAME IS MOON SUP UM. AND FOR THE RECORD I
3 OPPOSE ROGIC'S PROPOSED SUBDIVISION. THANK YOU.

4

5 **ROSA SHIN:** MY NAME IS ROSA SHIN. I LIVED IN 2768 ROCK PINE
6 LANE. AND FOR THE RECORD, I OPPOSE THIS ROGIC'S PROPOSED
7 SUBDIVISION.

8

9 **SUP. ANTONOVICH:** FELLNER, JANE ROYER, AND ARLENE BOYCHUCK, AND
10 HRAND AGHAZARIAN? JUST GIVE YOUR NAME FOR THE RECORD.

11

12 **HELGA FELLNER:** GOOD MORNING. MY NAME IS HELGA FELLNER, AND I
13 LIVE AT 2734 ROCK PINE LANE IN LA CRESCENTA. I WOULD LIKE TO
14 SUBMIT TO THE BOARD TWO POSTERS THAT DEPICT WHAT THE IMMEDIATE
15 NEIGHBORHOOD LOOKED LIKE AFTER THE HEAVY RAINFALL IN FEBRUARY
16 OF 2005. AFTER ALL, A PICTURE TELLS 1,000 WORDS. MAY I SUBMIT
17 THOSE, PLEASE? THANK YOU. THANK YOU. I ALSO AM OPPOSED TO THE
18 PROJECT. BUILDING ON A 40 TO 50 PLUS HILLSIDE SCARES ME TO
19 DEATH. I LIVE RIGHT ACROSS THIS PROPOSED PROJECT. TO THINK
20 THAT AN EARTHQUAKE OR HEAVY RAINFALL COULD BRING THE WHOLE
21 PROJECT DOWN ON US, INCLUDING A 25,000 GALLON POOL THAT SITS
22 RIGHT ON TOP OF THE PROPOSED PROJECT. THANK YOU VERY MUCH.

23

24 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.

25



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1 **ARLENE BOYCHUK:** MY NAME IS ARLENE BOYCHUCK. I LIVE AT 2762
2 ROCK PINE LANE. I OPPOSE ROGIC'S PROJECT FOR THE VERY SAME
3 REASON THAT HAS BEEN STATED. THE HILLSIDE IS TOO STEEP FOR
4 SUCH A PROJECT. AND IF THAT PROJECT IS ALLOWED TO GO THROUGH,
5 THERE ARE OTHER HOMES IN THE AREA THAT WILL BE WILLING TO
6 SACRIFICE THEIR PROPERTY TO BUILD ON THE SAME OR STEEPER
7 SLOPES. THANK YOU VERY MUCH.

8

9 **SUP. ANTONOVICH:** THANK YOU. LET ME ALSO CALL UP RAY CATAN AND
10 AND MARY BETH BAKER. YES, SIR.

11

12 **HRAND AGHAZARIAN:** HI, MY NAME IS HRAND AGHAZARIAN. I LIVE AT
13 2710 WILLOWHAVEN DRIVE. AND I OPPOSE THIS SUBDIVISION FOR THE
14 SAME REASONS THAT EVERYBODY ELSE SAID. THANKS.

15

16 **SUP. ANTONOVICH:** AND DON MILLIKAN. YES, MA'AM.

17

18 **JANE ROYER:** HI, I'M JANE ROYER, 2718 ROCK PINE LANE. WILEY WAS
19 THE ORIGINAL BUILDER OF PINE CREST, A PLANNED UNIT
20 DEVELOPMENT, INCLUDING ROCK PINE LANE. WHERE ROGIC'S
21 SUBDIVISION IS PROPOSED, THE HOUSING DEVELOPMENT OF PINE CREST
22 IS ABOUT HOMES ON FLAT SITES SET BACK FROM THE STREET, LONG
23 DRIVEWAYS AND SEVERAL FLOORS PLANS USED OVER AND OVER.
24 HOMEOWNERS IN PINE CREST, MORE SPECIFICALLY ROCK PINE LANE,
25 MOVED INTO THIS DEVELOPMENT EXPECTING THIS COMMON AND FAMILIAR



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1 LOOK THROUGHOUT THIS COMMUNITY. WE BOUGHT ON ROCK PINE LANE
2 EXPECTING ONLY THE PICTURESQUE NATURAL CALIFORNIA GROWTH, WITH
3 NO BUILDINGS ON THE NORTH SIDE OF THE STREET. WE BOUGHT HERE
4 BECAUSE THE STREET IS QUIET, WITH FEWER HOUSES, FEWER PEOPLE
5 AND FEWER CARS. WITH DESIGNATED AND VITAL ROCK PINE LANE
6 C.C.N.R.S AND THE CONFORMITY WITHIN THE ORIGINAL PLANNED PINE
7 CREST DEVELOPMENT, WE EXPECT CERTAIN CHARACTERISTICS IN OUR
8 NEIGHBORHOOD. MY HUSBAND AND I ARE HOMEOWNERS WHO LIVE ACROSS
9 THE STREET FROM THE PROPOSED BUILDINGS, AND WE ARE OPPOSE TO
10 THE SUBDIVISION PLANS. ROGIC'S PROPOSED SUBDIVISION IS
11 INCONSISTENT WITH AND NOT A GOOD FIT WITH OUR EXISTING
12 NEIGHBORHOOD. WE DON'T WANT TO LOOK AT ROGIC'S HUGE RETAINING
13 WALLS. WE SPECIFICALLY ENJOY OUR CURRENT VIEW OF A BEAUTIFUL
14 AND NATURAL LANDSCAPE ACROSS THE STREET. WITH THUNDERSTORMS
15 AND EARTHQUAKES, WE DON'T WANT HIS PROPOSED HOMES, SWIMMING
16 POOL, OR DIRT CAREENING DOWN THE STREET OR ONTO OUR PROPERTY
17 BECAUSE HE BUILT ON SUCH A STEEP SLOPE. PUTTING A NORMAL 15 TO
18 21-FOOT CAR IN ROGIC'S PROPOSED SHORT 5-FEET DRIVEWAY WOULD BE
19 A SAFETY HAZARD, AND UNUSUAL IN OUR EXISTING NEIGHBORHOOD.
20 WE'RE A LONG-TIME NEIGHBORHOOD WITH LONG-TIME HOMEOWNERS. YOU
21 HAVE OUR PETITION. THE HOMEOWNERS OF ROCK PINE LANE, PLUS
22 OTHERS, ALL OPPOSE ROGIC'S SUBDIVISION PLAN. SO DOES THE
23 PLANNING COMMISSION. SUPERVISORS, PLEASE ALSO DENY THIS PLAN
24 THAT DOES NOT FIT THE ROCK PINE LANE NEIGHBORHOOD. THANKS.

25



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1 **SUP. ANTONOVICH:** GORDON WOOD? GORDON WOOD? YES, SIR.

2

3 **RAY CATAN:** MY NAME IS RAY CATAN AND I LIVE AT 2769 ROCK PINE
4 LANE. AND I OBJECT TO ROGIC'S CONTRACT, ON THE STATEMENTS THAT
5 HAD BEEN MADE HERE TODAY. THANK YOU.

6

7 **MARY BETH BAKER:** MY NAME IS MARY BETH BAKER. I LIVE AT 2815
8 WILLOWHAVEN DRIVE. WE'VE LIVED THERE FOR 21 YEARS. I'M
9 CONCERNED THAT THIS PROJECT IS NOT CONSISTENT WITH THE REST OF
10 THE NEIGHBORHOOD. IT IS WAY TOO STEEP. AND I'M CONCERNED THAT
11 IT WILL SET A PRECEDENT. MY HOME BACKS UP TO A HILLSIDE, AND
12 THERE IS A STEEP HILLSIDE BEHIND ME. AND I WOULD NOT WANT THE
13 PEOPLE BEHIND ME TO BUILD A SIMILAR STRUCTURE HANGING OFF THE
14 HILLSIDE FOR REASONS STATED, WHETHER IT'S WATER OR EARTHQUAKE,
15 SEVERE FLOODS. SO I OPPOSE THE PROJECT. THANK YOU.

16

17 **DON MILLIKAN:** MY NAME IS DON MILLIKAN. I LIVED AT 2821
18 WILLOWHAVEN DRIVE WITH MY WIFE, AND WE HAVE LIVED IN THE SAME
19 HOUSE IN THE PINE CREST DEVELOPMENT FOR OVER 35 YEARS. I'M A
20 RETIRED CIVIL ENGINEER AND I'VE HAD PROFESSIONAL -- I HAVE A
21 PROFESSIONAL ENGINEER'S LICENSE IN THE STATE OF CALIFORNIA FOR
22 OVER 35 YEARS. MY WIFE AND I BOUGHT PROPERTY IN THE PINE CREST
23 DEVELOPMENT IN 1972 BECAUSE, AMONG OTHER THINGS, I LIKED THE
24 ORIGINAL DEVELOPMENT AND THE WAY THE HOMES WERE BUILT ON FLAT
25 AREAS ALONG WITH BASICALLY FLAT YARDS IN A HILLSIDE



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1 DEVELOPMENT. I EXPECTED THAT MY NEIGHBORHOOD WOULD REMAIN AS
2 IT WAS CONSTRUCTED WITHOUT ANY FURTHER SUBDIVISIONS. MY WIFE
3 AND I ARE OPPOSED TO THE SUBDIVISION THAT MR. ROGIC PROPOSES.
4 AS YOU'RE AWARE, MR. ROGIC SUBMITTED PROPOSALS TO SUBDIVIDE
5 HIS PROPERTY TO THE LOS ANGELES COUNTY DEPARTMENT OF REGIONAL
6 PLANNING IN 1986 AND IN 2008. BOTH OF THESE PROPOSALS WERE
7 DENIED, STATING THAT AMONG OTHER THINGS, THAT THEY WERE NOT
8 CONSISTENT WITH THE COUNTY GENERAL PLAN AND WAS NOT COMPATIBLE
9 WITH THE ESTABLISHED NEIGHBORHOOD. WE FELT THAT THESE WERE
10 PROPER DECISIONS THAT WERE MADE BY THE L.A. COUNTY DEPARTMENT
11 OF REGIONAL PLANNING. THE LATEST OF MR. ROGIC'S PROPOSED
12 SUBDIVISION INVOLVES ALMOST ALL EXCAVATION ON A STEEP
13 HILLSIDE, WHICH ALSO INCLUDES SEVERAL HIGH RETAINING WALLS.
14 THE CURRENT PLAN IS TOTALLY INCOMPATIBLE WITH THE CHARACTER OF
15 THE PINE CREST NEIGHBORHOOD. IF MR. ROGIC'S PROPOSED
16 SUBDIVISION IS APPROVED BY THE LOS ANGELES COUNTY BOARD OF
17 SUPERVISORS, IT WOULD SET A PRECEDENT AND OPEN A PANDORA'S BOX
18 FOR OTHER HOMEOWNERS TO SUBDIVIDE THEIR PROPERTY IN A SIMILAR
19 MANNER IN THIS HILLSIDE DEVELOPMENT CALLED PINE CREST. IF THIS
20 WERE TO HAPPEN, IT WOULD TOTALLY CHANGE THE LANDSCAPE OF THE
21 PINE CREST AREA AND CHANGE THE AREA THAT MY WIFE AND I AND
22 MANY OTHER HOMEOWNERS HAVE BOUGHT INTO. I HAVE REVIEWED THE
23 GENERAL PLANS OF THE PROPOSED SUBDIVISION, BUT I HAVE NOT
24 REVIEWED ANY GEOLOGIC REPORTS OR DETAILED GRADING PLANS OF THE
25 PROPOSED SUBDIVISION, NOR HAVE I PERFORMED ANY ENGINEERING



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1 CALCULATIONS RELATED TO THE PROPOSAL. HOWEVER, I HAVE SOME
2 CONCERNS RELATING TO THE OVERALL STABILITY OF THE PROPOSED
3 SLOPE FROM THE STREET TO THE TOP OF THE PROPOSED SUBDIVISION.
4 THIS PROPOSAL CONSISTS OF A PROJECT THAT IS ALMOST TOTALLY
5 COMPOSED OF EXCAVATION AND ONLY A SMALL AMOUNT OF FILL.
6 FACTORS OF SAFETY FOR THE OVERALL SLOPE STABILITY WILL BE
7 REDUCED DUE TO THE EXCAVATION. THE SLOPE STABILITY WILL BE
8 TESTED IF WE HAVE ANOTHER WET WINTER LIKE WE HAD IN 2005 WHEN
9 WE APPROACHED THE ALL-TIME RAINFALL ON RECORD FOR THIS AREA.
10 IN 2005, WE EXPERIENCED MANY SLOPE FAILURES IN THE LA
11 CRESCENTA AND LA CANADA AREA INCLUDING ONE NEAR THE Y.M.C.A.
12 IN LA CANADA THAT CLOSED DOWN A LANE OF FOOTHILL BOULEVARD FOR
13 MANY MONTHS.

14

15 **SUP. BURKE, CHAIR:** YOUR TIME HAS EXPIRED.

16

17 **GORDON WOOD:** HE COULD HAVE SOME OF MY TIME.

18

19 **DON MILLIKAN:** JUST ONE OTHER QUICK ITEM. THEY ALSO STATE THAT
20 WE ARE OVERDUE FOR A SIGNIFICANT SEISMIC EVENT IN CALIFORNIA.
21 HOW WILL THIS REDUCED SLOPE STABILITY FOR THIS PROJECT FARE IN
22 A SIGNIFICANT SEISMIC EVENT? THANK YOU FOR LETTING ME EXPRESS
23 MY OPINIONS AND CONCERNS RELATED TO THIS PROPOSED SUBDIVISION.

24

25 **SUP. BURKE, CHAIR:** THANK YOU PLEASE STATE YOUR NAME.



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1

2 **GORDON WOOD:** MY NAME IS GORDON WOOD. I LIVE AT 2713 ROCK PINE
3 LANE. THIS IS IMMEDIATELY EAST OF PARCEL NO. 1, I THINK. I
4 SHARE PART OF THE SLOPE WITH MR. ROGIC'S PROPERTY. AND I WANT
5 TO TELL YOU, IT'S REALLY STEEP. YOU CAN'T WALK UP THAT HILL.
6 YOU GO UP ON ALL FOURS. I'M VERY CONCERNED BECAUSE AS I SAY, I
7 SHARE SOME OF THE SLOPE WITH HIM. AND WHEN YOU LOOK AT THIS
8 THING AND TAKE INTO ACCOUNT THAT HE'S GOING TO EXCAVATE ABOUT
9 A THIRD OF THE TOTAL SOIL IN THERE, IT'S ONLY GOING GET
10 STEEPER. AND HE'S GOING TO PUT IN -- ADMITTEDLY HE SHOWS A LOT
11 OF RETAINING WALLS. HE DOESN'T SHOW ANY FOUNDATION PLAN FOR
12 THE RETAINING WALLS. I'M VERY CONCERNED ABOUT THAT. AND IN
13 ADDITION TO THE FACT THAT THIS IS DECOMPOSED GRANITE, WHICH IS
14 LIKE COURSE SAND WITH A LOT OF ROCKS IN IT. AND HAVING DONE
15 WHAT EVERYBODY DOES, I DID MY RESEARCH ON THE INTERNET AND I
16 FIND THAT IT'S VERY STABLE AND BUILDABLE UNLESS IT GETS
17 SATURATED, IN WHICH CASE IT TENDS TO SLIP AND BECOME VERY
18 UNSTABLE. SO THAT'S ONE OF MY CONCERNS. THE OTHER IS THAT THIS
19 IS MY DEFINITION OF OPEN SPACE AT THE MOMENT THERE'S SUMAC, A
20 FEW PINES, SOME YUCCA, AND LITTLE CRITTERS THAT LIVE UP THERE.
21 AND THAT'S ONE OF THE REASONS I SELECTED THIS PROPERTY. IF HE
22 PUTS THIS IN, IT'S GOING TO LOOK LIKE A CONTINUOUS
23 CONDOMINIUM. THIS THING STRETCHES 200 FEET AND 40 FEET UP THE
24 HILL. IT IS NOT AT ALL CONSISTENT WITH THE WESTERN RANCH STYLE
25 HOUSES THAT EXIST. IN ADDITION, I'M CONCERNED ABOUT THE LENGTH



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1 OF THE DRIVEWAY. EVERYBODY HAS A 20-FOOT DRIVEWAY THERE. MR.
2 ROGIC'S PROPERTY WILL HAVE A 5-FOOT DRIVEWAY, THAT'S THE
3 SETBACK. I DON'T DOUBT THAT THIS IS A GOOD PLAN FOR SOMEPLACE,
4 BUT I THINK IT'S SAN TURINI OR SOME SUCH THING ON THE SIDE OF
5 A VOLCANO. THANK YOU VERY MUCH.

6

7 **SUP. ANTONOVICH:** THANK YOU. ALEX ROGIC, BOB LEMKE, NINA BEYT,
8 CAROLYN SEITZ. BOB LEMKE?

9

10 **SPEAKER:** HE'S GONE.

11

12 **SUP. ANTONOVICH:** OKAY. NINA? AND JELENA RASOVIC? YES.

13

14 **CAROLYN INGRAM SEITZ:** GOOD MORNING. AND THANK YOU, SUPERVISOR
15 ANTONOVICH. GOOD MORNING, MADAME CHAIR, MEMBERS OF THE BOARD
16 AND THE STAFF. MY NAME IS CAROLYN INGRAM SEITZ, AND I'M
17 PLEASED TO BE HERE AND HAPPY TO BE HERE REPRESENTING THE
18 APPLICANT AND APPELLANT ALEX ROGIC. STRAIGHT TO THE SPECIFICS
19 OF THE REQUEST. THE SUBJECT PROPERTY, AS YOU KNOW, IS ABOUT
20 31,000 SQUARE FEET. IT'S A THROUGH AND THROUGH PARCEL. MEANING
21 IT HAS FRONTAGE ON TWO PUBLIC STREETS. THERE IS ONE EXISTING
22 SINGLE-FAMILY RESIDENCE PROPOSED TO REMAIN ON A NEW 16,000
23 SQUARE-FEET PARCEL AND WE'RE REQUESTING THE ADDITION OF TWO
24 PARCELS, EACH OF WHICH IS PROPOSED ON 7,724 SQUARE FEET. THAT
25 IS LESS THAN A 10,000 SQUARE FEET REQUIRED BY THE ZONING



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1 DESIGNATION. ZONING IN THIS AREA IS IN CONFLICT WITH THE
2 EXISTING PATTERN OF DEVELOPMENT, AND YOU HEARD FROM STAFF THAT
3 THE MAJORITY OF PARCELS IN THIS AREA ARE LESS THAN 10,000
4 SQUARE FEET, EVEN THOUGH THE ZONING DESIGNATION IS 10,000
5 SQUARE FEET. THE RESIDENCES PROPOSED BY MR. ROGIC ARE
6 APPROXIMATELY 2,000 SQUARE FEET IN SIZE, CONSISTENT WITH THE
7 AVERAGE SIZE OF RESIDENCES IN THE AREA. IN PURSUIT OF THE
8 APPROVAL OF THE THIS PARCEL MAP AND OTHER ZONING ENTITLEMENTS,
9 INCLUDING THE HILLSIDE C.U.P., HERE ARE THE APPROVALS OBTAINED
10 BY MR. ROGIC. FROM THE DEPARTMENT OF PUBLIC WORKS, GRADING
11 PLANS, DRAINAGE PLAN, A HYDROLOGY STUDY, GEOLOGY AND SOILS AND
12 A STANDARD URBAN STORM WATER MITIGATION PLAN WERE ALL
13 APPROVED. FROM THE COUNTY FORESTER FIRE WARDEN, A FUEL
14 MODIFICATION PLAN WAS APPROVED. THE COUNTY FIRE DEPARTMENT
15 APPROVED THE PLANS WITH RESPECT TO ACCESS AND DESIGN. THE
16 CRESCENTA VALLEY WATER DISTRICT ISSUED A WILL-SERVE LETTER FOR
17 DOMESTIC WATER SERVICE AND A WILL-SERVE LETTER FOR SEWER
18 CONNECTION AND SEWER SERVICE. WITH RESPECT TO ORDINANCE
19 REQUIREMENTS, THE PLAN, AS PROPOSED, FAR EXCEEDS OPEN SPACE
20 REQUIREMENTS. 25 PERCENT IS REQUIRED, 61 PERCENT IS PROVIDED.
21 BUILDING HEIGHTS ARE ALSO CONSISTENT. MAXIMUM ALLOWED IS 35
22 FEET. PROPOSED IS 28 FEET, 10 INCHES. WITH RESPECT TO THE
23 SETBACKS, THE UNIQUE HILLSIDE PARCEL IS DESIGNED TO MEET THE
24 HILLSIDE ORDINANCE CRITERIA FOR FRONT YARD AND SIDE YARD
25 SETBACKS, WHICH PERMITS A 10-FEET FRONT YARD SETBACK AND 5-



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1 FEET SETBACK FOR THE GARAGE. THERE WAS NO OPPORTUNITY PROVIDED
2 BY THE REGIONAL PLANNING COMMISSION WHEN IT MADE ITS DECISION
3 TO DENY THE PROJECT FOR MR. ROGIC TO PRESENT AN ALTERNATIVE
4 DESIGN. MR. ROGIC IS WILLING TO DO THE FOLLOWING THINGS IN
5 TERMS OF REDESIGN IF YOU ARE WILLING TO GIVE US THE
6 OPPORTUNITY. HE WOULD INCREASE THE FRONT YARD AND SIDE YARD
7 SETBACKS. HE'LL REDESIGN THE ARCHITECTURE, ARTICULATE WALLS SO
8 THEY AREN'T TOO LINEAR. BRING DOWN THE PROFILE TO FURTHER
9 DECREASE THE HEIGHT OF THE PROPOSED NEW RESIDENCES FROM 28
10 FEET 10 INCHES TO 25 FEET. AND HE'LL MAKE AN EFFORT TO BETTER
11 MATCH OR BLEND IN WITH THE SURROUNDING RANCH-STYLE RESIDENCES
12 SO HE'S MORE IN CHARACTER AND FEEL, AND HE'LL ALSO USE
13 DIFFERENT MATERIALS FROM THOSE ORIGINALLY PROPOSED. HE'S ALSO
14 OFFERING TO REPLACE THE DECORATIVE WROUGHT IRON RAILINGS WHICH
15 THE NEIGHBORHOOD SEEMED NOT TO LIKE. AFTER CONSIDERING THE
16 TESTIMONY THIS MORNING, WE HOPE THAT YOU'LL VOTE TO SUSTAIN
17 THE STAFF'S RECOMMENDATION TO THE PLANNING COMMISSION WHICH
18 WAS TO SUPPORT THE PROJECT. TO RESPOND VERY QUICKLY TO THE
19 CONCERNS RAISED BY THE NEIGHBORS AND TO THE MISINFORMATION,
20 ONE OF THE FIRST TESTIFIERS INDICATED THAT WE WERE PROPOSING
21 59,000 CUBIC YARDS OF GRADING AND IT'S NOT TRUE. IT'S 2,272
22 CUBIC YARDS OF GRADING, WHICH IS SIGNIFICANTLY LESS THAN WAS
23 INDICATED BY THE OPPOSITION. THE RETAINING WALLS ARE NOT 40
24 FEET HIGH, THEY ARE A MAXIMUM OF 7 FEET, AND WHERE THEY ARE 7
25 FEET THEY'RE CONCEALED BEHIND THE PROPOSED RESIDENCES. THIS



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1 PROJECT WAS ALSO DESIGNED TO FIT THE CONTOURS OF THE EXISTING
2 SLOPE SO THAT WE DIDN'T HAVE TO DO MUCH GRADING.

3

4 **SUP. BURKE, CHAIR:** YOUR TIME HAS EXPIRED.

5

6 **CAROLYN INGRAM SEITZ:** THANK YOU.

7

8 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME. ALL RIGHT. STATE
9 YOUR NAME. WHO IS GOING FIRST?

10

11 **ALEX ROGIC:** MY NAME IS ALEX ROGIC. I'M THE APPLICANT. I LIVE
12 IN THIS PROPERTY FOR 29 YEARS. AND I AM GRATEFUL TO THE BOARD
13 FOR THE TIME GIVEN TO ME TO PRESENT THE CASE AND I'D LIKE TO
14 ANSWER ANY QUESTIONS THAT MAY BE COMING FROM ANY OF THE BOARD
15 MEMBERS, THANK YOU.

16

17 **SUP. ANTONOVICH:** YES, MA'AM.

18

19 **NINA BEYT:** MY NAME IS NINA BEYT. I DO NOT LIVE ON ROCK PINE OR
20 WILLOWHAVEN, BUT A MILE OR SO AWAY. I'M HERE TO SUPPORT HIS
21 PROJECT BECAUSE I THINK IT'S TOTALLY UNFAIR THAT PROPERTY
22 OWNERS -- IT JUST SEEMS THAT IF RESIDENTS OF A NEIGHBORHOOD
23 DON'T WANT YOU TO BUILD, YOU JUST DON'T GET TO BUILD IN LA
24 CRESCENTA. AND IT'S JUST NOT FAIR. HE HAS THE RIGHT TO
25 SUBDIVIDE THAT LANE, EXCUSE ME, THAT PARCEL. THE TWO HOMES



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1 THAT HE WISHES TO CONSTRUCT ARE EASILY WITHIN THE SIZE, LOT
2 SIZE OF MANY HOMES IN THE AREA. IT'S GOING TO BE A BEAUTIFUL
3 HOME. MOST OF THE RETAINING WALLS HE IS WILLING TO MITIGATE BY
4 REDESIGN. HE'S LISTENING TO THE NEIGHBORS. HE'S GOING TO MAKE
5 THAT HOUSE, THOSE TWO HOUSES, EXCUSE ME, MORE COMPATIBLE. THE
6 OPEN SPACE THAT THE RESIDENTS OF THE AREA LOVE, I'M REALLY
7 SORRY TO SAY THIS, BUT IT'S HIS PARCEL. IT'S HIS LOT. IT'S HIS
8 OPEN SPACE. IF THEY WANT OPEN SPACE, WHY DON'T THEY GO BUY A
9 GREAT BIG LOT AND TEAR DOWN STRUCTURES ON IT? IT'S NOT A
10 PRETTY ROCK. IT'S JUST VERY UNATTRACTIVE. IT'S NOT AN EAGLE
11 ROCK. IT'S NOT A STONY POINT. A HOME THERE WILL LOOK BETTER
12 THAN WHAT IS THERE NOW. THANK YOU.

13

14 **JELENA RASOVIC:** GOOD MORNING, MADAME CHAIRMAN. MY NAME IS
15 JELENA RASOVIC. MY HUSBAND AND I OWNED THE HOUSE ON 2653
16 TIMBER LAKE DRIVE SINCE 1965 WE LIVE THERE. WE KNOW THE
17 PROPERTY. WE KNOW ALSO THE ARCHITECT. ALEX ROGIC JUST DESIGNED
18 AND BUILT FOR US LAST YEAR ADDITION TO OUR HOME THAT WE
19 NEEDED. HE DID A VERY GOOD JOB, AS WE EXPECTED. IN THIS
20 SITUATION OF HIS VERY DIFFICULT LOT, ALEX ROGIC I THINK IS
21 VERY WELL QUALIFIED TO DO A VERY GOOD JOB SINCE ALEX IS SENIOR
22 ARCHITECT AT U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
23 HE'S THE ONE WHO INSTRUCTS ALL ARCHITECTS HOW TO BUILD THE
24 PROJECTS. HE'S THE ONE WHO JUST ACCEPT -- HE'S THE ONLY ONE
25 WHO IS AUTHORIZED TO ACCEPT HUD PROJECTS. AND HE'S MORE THAN



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1 QUALIFIED. HE'S AN EXCELLENT PROFESSIONAL WHO IS ABLE TO BUILD
2 SAFE AND HANDSOME PROJECT ON HIS OWN PROPERTY, WHICH IS OVER
3 30,000 SQUARE FEET. OUR LOTS ARE IN MANY CASES LESS THAN
4 10,000 SQUARE FEET. AND I THINK IT'S UNFAIR. I ALSO LOVE MY
5 LITTLE DEER THAT I SEE, BUT OBVIOUSLY I THINK IT'S UNFAIR AND
6 ESPECIALLY IN HIS CASE WE'RE DEALING WITH A PROFESSIONAL WHO
7 CAN DO, AND BUILD SUCH A SAFE -- HE JUST SAID IT, WELL, HE
8 JUST SAID I THINK, THAT HE'S WILLING TO ADJUST. AND HE'S MORE
9 THAN CAPABLE. IF HE'S THE TOP ARCHITECT FOR HUD DEPARTMENT, HE
10 CAN DO A VERY GOOD JOB ON HIS PERSONAL PROPERTY. AND I THINK
11 THAT IT'S SAFE THAT HE CAN BUILD ALL THESE, I'M NOT GOING INTO
12 DETAILS, WITH THIS. BUT HE'S ABLE TO PROVIDE A SAFE PROJECT,
13 SAFE AND HANDSOME PROJECT THAT WOULD BE GOOD FOR THE WHOLE
14 NEIGHBORHOOD.

15
16 **SUP. BURKE, CHAIR:** THANK YOU.

17
18 **JELENA RASOVIC:** THANK YOU.

19
20 **SUP. ANTONOVICH:** THOSE ARE THE PEOPLE THAT HAVE SIGNED UP TO
21 SPEAK BOTH PRO AND CON, MADAME CHAIR. LET ME SAY ON BOTH SIDES
22 OF THE ISSUE, THE APPLICANT AND RESIDENTS WHO LIVE ON
23 WILLOWHAVEN AND ROCK PINE HAVE PRESENTED COMPELLING ARGUMENTS
24 FOR EACH OF THEIR POSITIONS. THE APPLICANT CONTENDS THAT THE
25 32,000 SQUARE FOOT LOT IS THE HIGH END OF LOT SIZES FOR THE



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1 NEIGHBORHOOD AND THAT THE PROPOSED THREE LOTS WOULD BE
2 COMPARABLE IN SIZE TO SURROUNDING LOTS AND THAT IT INVOLVES
3 RELATIVELY LITTLE GRADING. AND THE PROJECT COMPLIES WITH
4 ZONING REQUIREMENTS IN TERMS OF HEIGHT AND PARKING, AND
5 REGIONAL PLANNING STAFF RECOMMENDED APPROVAL OF THE THREE-LOT
6 PARCEL MAP. DESPITE THE APPLICANT'S ARGUMENTS, NEIGHBORS ALONG
7 WILLOWHAVEN AND ROCK PINE ARE ALSO JUSTIFIABLY CONCERNED ABOUT
8 DENSITY AND COMPATIBILITY. RESIDENTS ARE CORRECT THAT THE TWO
9 PROPOSED HOMES, EACH THREE STORIES TALL, WOULD BE INCOMPATIBLE
10 WITH EXISTING HOMES ALONG ROCK PINE. HAVING SAID THAT, THE
11 DEVELOPMENT OF ONE ADDITIONAL HOME FACING ROCK PINE WOULD BE
12 COMPATIBLE WITH THE EXISTING HOMES BY LIMITING IT TO TWO
13 STORIES AND 25 FEET AND INCREASING THE FRONT SETBACK TO 15
14 FEET, THE SCALE OF THE NEW HOME WOULD BE COMPATIBLE WITH THE
15 EXISTING HOMES. I RECEIVED A NUMBER OF LETTERS EMAILS,
16 PETITIONS IN THE FILE FROM BOTH SUPPORTERS OF THE APPLICANT
17 AND OPPONENTS. AND WHILE THE CRESCENTA VALLEY TOWN COUNCIL
18 CONSIDERED THE CASE, THEY TOOK A NEUTRAL POSITION ON THE
19 PROPOSAL. SO I'D LIKE TO READ THE FOLLOWING MOTION. RESIDENTS
20 ALONG ROCK PINE LANE HAVE EXPRESSED MANY CONCERNS ABOUT THE
21 PROPOSED THREE-LOT SUBDIVISION. THESE CONCERNS INCLUDE
22 DENSITY, MASSING AND THE COMPATIBILITY OF THE PROPOSED HOMES
23 WITH EXISTING RESIDENCES. BECAUSE OF THESE CONCERNS, THE
24 REGIONAL PLANNING COMMISSION DENIED THE PARCEL MAP VARIANCE
25 AND CONDITIONAL USE PERMIT. WITH THE LOT SIZE OF APPROXIMATELY



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1 32,000 SQUARE FEET, THE PROPERTY IS SUBSTANTIALLY LARGER THAN
2 MOST OF THE HOMES WITHIN A 1,000-FOOT RADIUS. WHILE CREATING
3 THREE LOTS COULD CREATE LOTS OUT OF CHARACTER WITH EXISTING
4 HOMES, CREATING TWO LOTS WOULD NOT. THE REMAINING LOTS FACING
5 THE WILLOWHAVEN AND ROCK PINE ARE COMPATIBLE WITH THE LOT
6 SIZES OF OTHER HOMES ON BOTH STREETS. ADDITIONALLY, THE PLANS
7 AND ELEVATIONS SHOW PROPOSED HOMES ON ROCK PINE THAT ARE THREE
8 STORIES, WHILE EXISTING HOMES ALONG THE STREET ARE EITHER ONE
9 OR TWO STORIES. THE FRONT SETBACK ON THE ROCK PINE VARIES
10 BETWEEN 5 AND 10 FEET, AND THE LARGER SETBACK WOULD BE MORE
11 CONSISTENT WITH EXISTING HOMES. SO I WOULD MOVE THAT WE WOULD
12 DIRECT THE REGIONAL PLANNING DIRECTOR TO HAVE HIS STAFF WORK
13 WITH THE APPLICANT ON A REVISED PLAN TO INCLUDE A HOUSE DESIGN
14 FOR ONE NEW HOUSE FACING ROCK PINE, WHICH IS A MAXIMUM OF TWO
15 LOTS, ONE FOR THE EXISTING HOME WHICH ALREADY FACES
16 WILLOWHAVEN AND ONE FOR THE NEW LOT FACING ROCK PINE THAT'S NO
17 MORE THAN TWO STORIES IN HEIGHT, IS NO TALLER THAN TWO STORIES
18 AND NO TALLER THAN 25 FEET IN HEIGHT, HAS A SETBACK OF AT
19 LEAST 15 FEET, DIRECTING THE REGIONAL PLANNING DIRECTOR TO
20 SCHEDULE A REVISED TWO-LOT PARCEL MAP BEFORE THE SUBDIVISION
21 COMMITTEE AT THE EARLIEST AVAILABLE DATE AND CONTINUE THE CASE
22 TO THE JANUARY 27TH MEETING KEEPING THE PUBLIC HEARING OPEN ON
23 THAT DATE.

24



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1 **SUP. BURKE, CHAIR:** SECONDED BY MOLINA. WITHOUT OBJECTION, SO
2 ORDERED.

3
4 **SUP. ANTONOVICH:** ITEM NO. 12.

5
6 **CLERK SACHI HAMAI:** ITEM NO. 12, THIS IS THE DE NOVO HEARING ON
7 PROJECT NO. R2007-01829-(5), CONDITIONAL USE PERMIT CASE NO.
8 200700137-(5), AND MITIGATED NEGATIVE DECLARATION RELATING TO
9 PROPERTY LOCATED AT 580 EAST AVENUE F IN THE UNINCORPORATED
10 COMMUNITY OF ANTELOPE VALLEY, LANCASTER ZONED DISTRICT APPLIED
11 FOR BY WILLIAM DAVIS ON BEHALF OF BLUEFIRE ETHANOL. THERE IS A
12 DEPARTMENT STATEMENT ON THIS MATTER AND CORRESPONDENCE WAS
13 RECEIVED.

14
15 **MARK CHILD:** I'M MARK CHILD, THE SUPERVISING REGIONAL PLANNER
16 FOR THE DEPARTMENT OF REGIONAL PLANNING. ITEM NO. 12 IS AN
17 APPEAL BY INTERESTED PARTIES OF THE REGIONAL PLANNING
18 COMMISSION'S DECISION OF JULY 23RD, 2008 TO APPROVE A
19 CONDITIONAL USE PERMIT TO ALLOW AN ETHANOL REFINERY TO BE
20 LOCATED AT 580 EAST AVENUE F IN THE COMMUNITY OF ROOSEVELT IN
21 THE ANTELOPE VALLEY AND IN THE LANCASTER ZONE DISTRICT. THE
22 PROPOSED PROJECT CONSISTS OF THE CONSTRUCTION AND OPERATION OF
23 A BIOREFINERY THAT WILL CONVERT 170 TONS PER DAY OF CELLULOSIC
24 MATERIAL, WHICH INCLUDES CURBSIDE GREEN WASTE, POST-SORTED
25 GREEN WASTE, AND NONMARKETABLE PAPER FRACTIONS, AND WOOD. THE



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1 MATERIALS WOULD COME FROM THE NEIGHBORING LANDFILL AND OTHER
2 SOURCES, SUCH AS MUNICIPAL RECYCLING FACILITIES, WOOD CHIPPING
3 AND GRINDING FACILITIES, AND WOULD BE CONVERTED TO ETHANOL.
4 THE OPERATION WOULD PRODUCE BETWEEN 7,600 TO 11,675 GALLONS OF
5 FUEL-GRADE ETHANOL PER DAY AND TWO BY-PRODUCTS WHICH ARE
6 GYPSUM AND SPENT YEAST, AND THOSE WOULD BE TRANSPORTED OFF-
7 SITE. THE PLANT WOULD OPERATE 24 HOURS A DAY, 330 DAYS PER
8 YEAR, A TOTAL OF 18 EMPLOYEES WOULD WORK THREE SHIFTS WITH A
9 MAXIMUM OF FIVE EMPLOYEES PER SHIFT. THE PROJECT WOULD
10 GENERATE APPROXIMATELY 15,500 YEARLY VEHICLE TRIPS FOR
11 TRANSPORTING FEED STOCK, ETHANOL BY-PRODUCTS, CHEMICALS AND
12 EMPLOYEES. SUPPORT LETTERS HAVE BEEN RECEIVED FROM A NUMBER OF
13 LOCAL RESIDENTS AND GOVERNMENT OFFICIALS, WHICH INCLUDES
14 SUPPORT LETTERS FROM U.S. SENATOR FEINSTEIN, VICE CHAIR OF THE
15 U.S. DEPARTMENT OF ENERGY, JAMES BOYD, GOVERNOR ARNOLD
16 SCHWARZENEGGER, CALIFORNIA STATE SENATOR, GEORGE RUNNER,
17 CALIFORNIA ASSEMBLYMAN, CAMERON SMYTH. AND IN ADDITION,
18 GOVERNMENT AGENCIES HAVE EXPRESSED SUPPORT FOR THE PROJECT AND
19 THESE AGENCIES INCLUDE THE AIR RESOURCES BOARD, SOLID WASTE
20 MANAGEMENT COMMITTEE, AN INTEGRATED WASTE MANAGEMENT
21 TASKFORCE, AND THE ASSOCIATION OF RURAL TOWN COUNCILS AND THE
22 ROOSEVELT RURAL TOWN COUNCIL. IN OPPOSITION, SOME LOCAL
23 RESIDENTS BELIEVE THE IMPACTS OF SUCH A PROJECT ARE NOT WELL
24 UNDERSTOOD AND THAT FURTHER ENVIRONMENTAL REVIEW WAS
25 NECESSARY. TO PROVIDE INFORMATION TO THE LOCAL COMMUNITY AND



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1 TO UNDERSTAND THEIR CONCERNS, THE APPELLANT REQUESTED THAT A
2 HEARING BE HELD IN THE LANCASTER AREA. IN RESPONSE TO THIS
3 REQUEST, SUPERVISOR ANTONOVICH'S STAFF ARRANGED A COMMUNITY
4 MEETING ON OCTOBER 1ST, 2008. THE MEETING WAS ATTENDED BY
5 APPROXIMATELY 50 TO 75 PEOPLE. REPRESENTATIVES FROM REGIONAL
6 PLANNING, THE DEPARTMENT OF PUBLIC WORKS, PUBLIC HEALTH AND
7 A.Q.M.D. ATTENDED THE MEETING AND WERE ABLE TO ANSWER
8 QUESTIONS. THE REGIONAL PLANNING COMMISSION CONDUCTED --
9 CONCLUDED, EXCUSE ME, THAT A MITIGATED NEGATIVE DECLARATION
10 WAS THE APPROPRIATE ENVIRONMENTAL DOCUMENT FOR THIS PROJECT
11 BECAUSE ALL IMPACTS ASSOCIATED WITH THE PROJECT COULD BE
12 MITIGATED TO A LEVEL THAT ARE CONSIDERED LESS THAN
13 SIGNIFICANT. THE SUBJECT PROPERTY IS DISTURBED LAND ADJACENT
14 TO A LANDFILL. TRUCK TRIPS WOULD NOT CREATE EXTRA TRAFFIC
15 BECAUSE WASTE TRUCKS ARE ALREADY GOING TO THE LANDFILL. THE
16 PROJECT LESSENS PRESSURE ON THE LANDFILL BY DIVERTING GREEN
17 WASTE TO THE ETHANOL FACILITY. THE SITE IS NOT NEAR OR ON A
18 FAULT, IT NOT A LANDSLIDE AREA, AND THERE ARE NO
19 ARCHAEOLOGICAL SITES IDENTIFIED IN THE VICINITY, AND THERE'S
20 NO INFRASTRUCTURE ISSUES ASSOCIATED WITH DEVELOPING THIS SITE.
21 STAFF DRAFTED THE ENVIRONMENTAL DOCUMENT WITH THE ASSISTANCE
22 OF A NUMBER OF AGENCIES THAT PROVIDED TECHNICAL COMMENTS.
23 AGENCIES INCLUDED THE CALIFORNIA DEPARTMENT OF TOXIC
24 SUBSTANCES, THE LA HANTON REGIONAL WATER CONTROL BOARD, THE
25 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD, THE PUBLIC



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1 UTILITIES COMMISSION AND THE STATE FISH AND GAME. WITHIN THE
2 COUNTY, THE DEPARTMENT OF PUBLIC WORKS ENVIRONMENTAL PROGRAMS
3 DIVISION PROVIDED EXTENSIVE REVIEW AND ASSISTANCE TO THE
4 REGIONAL PLANNING COMMISSION BY DEVELOPING APPROPRIATE
5 CONDITIONS. THESE AGENCIES ALL GAVE THE PROJECT CAREFUL
6 REVIEW. THEY IDENTIFIED POTENTIAL IMPACTS AND PROVIDED
7 SUGGESTED MITIGATIONS TO REDUCE THE POTENTIAL IMPACTS TO LESS
8 THAN SIGNIFICANT AND RECOMMENDED CONDITIONS TO BE ATTACHED TO
9 THE GRANT. AFTER CONSIDERING THE TESTIMONY AND ALL THE
10 INFORMATION PROVIDED, THE REGIONAL PLANNING COMMISSION VOTED
11 3-0 TO APPROVE THE REQUEST. THIS CONCLUDES THE STAFF
12 PRESENTATION.

13
14 **SUP. ANTONOVICH:** LET ME ASK A COUPLE QUESTIONS. THE TECHNICAL
15 STUDIES, WHAT WERE THE TECHNICAL STUDIES PREPARED FOR THE
16 PROJECT?

17
18 **MARK CHILD:** THE APPLICANT PREPARED SOME REPORTS THAT WERE
19 CIRCULATED TO VARIOUS AGENCIES. AS I MENTIONED, THE AGENCIES
20 THAT WE SPECIFICALLY CONTACTED WERE STATE FISH AND GAME, THE
21 DEPARTMENT OF TOXIC SUBSTANCES AND THE WATER QUALITY CONTROL
22 BOARD. BUT ALSO AS PART OF THE ENVIRONMENTAL REVIEW, THE
23 PROJECT IS CIRCULATED AMONG STATE AGENCIES THROUGH THE STATE
24 CLEARINGHOUSE SO THAT WAS AVAILABLE FOR ALL STATE AGENCIES TO
25 COMMENT.



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1

2 **SUP. ANTONOVICH:** AND WHAT COUNTY AGENCIES REVIEWED THE
3 PROJECT?

4

5 **MARK CHILD:** THE DEPARTMENT OF PUBLIC WORKS, MOSTLY THE
6 ENVIRONMENTAL PROGRAMS DIVISION. BUT OTHER SECTIONS WITHIN
7 THAT DEPARTMENT ALSO REVIEWED THE PROPOSAL. THE ENVIRONMENTAL
8 HEALTH DEPARTMENT ALSO REVIEWED THE REQUEST ALONG WITH THE
9 FIRE DEPARTMENT.

10

11 **SUP. ANTONOVICH:** WHAT OUTSIDE AGENCIES REVIEWED THIS DRAFT
12 MITIGATED NEGATIVE DECLARATION?

13

14 **MARK CHILD:** IT WAS REVIEWED BY THE CALIFORNIA DEPARTMENT OF
15 TOXIC SUBSTANCES, THE REGIONAL WATER QUALITY CONTROL BOARD AND
16 STATE FISH AND GAME, PUBLIC UTILITIES COMMISSION.

17

18 **SUP. ANTONOVICH:** AND DID THOSE AGENCIES SIGN OFF ON THE
19 PROJECT AND SUGGEST C.U.P.S?

20

21 **MARK CHILD:** THEY DID PROVIDE COMMENT TO US. AND THOSE COMMENTS
22 ARE INCORPORATED INTO THE CONDITIONS OF APPROVAL.

23

24 **SUP. ANTONOVICH:** HAS REGIONAL PLANNING INCORPORATED THOSE
25 COMMENTS INTO THE CONDITIONS OF APPROVAL?



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1

2 **MARK CHILD:** THAT'S CORRECT.

3

4 **SUP. ANTONOVICH:** WHAT IS THE ENVIRONMENTAL CLEARANCE FOR THE
5 PROJECT?

6

7 **MARK CHILD:** THE ENVIRONMENTAL CLEARANCE, DID YOU SAY? IT WAS A
8 MITIGATED NEGATIVE DECLARATION.

9

10 **SUP. ANTONOVICH:** WHY DID REGIONAL PLANNING ISSUE A MITIGATED
11 NEGATIVE DEC RATHER THAN THE IMPACT REPORT?

12

13 **MARK CHILD:** BECAUSE GOING THROUGH THE ANALYSIS FOR THIS
14 PROJECT, ALL OF THE POTENTIAL IMPACTS THAT WERE RAISED COULD
15 BE MITIGATED TO A LEVEL LESS THAN SIGNIFICANT.

16

17 **SUP. ANTONOVICH:** DO YOU SEE ANY POTENTIAL FOR TOXIC FUMES,
18 ODORS, GROUND WATER POLLUTION OR EXCESSIVE AIR EMISSIONS?

19

20 **MARK CHILD:** NO. THESE WERE REVIEWED, OR THE POTENTIAL FOR
21 THESE SORTS OF EFFECTS WERE REVIEWED, AND DETERMINED THAT
22 THERE WAS NO EFFECT.

23

24 **SUP. ANTONOVICH:** AND BASED ON THE TECHNICAL STUDIES, INPUT
25 FROM OUTSIDE AGENCIES AND YOUR OWN ANALYSIS, DID REGIONAL



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1 PLANNING CONCLUDE THAT ALL ENVIRONMENTAL IMPACTS ARE MITIGATED
2 TO A LEVEL OF INSIGNIFICANCE?

3

4 **MARK CHILD:** YES, WE DID.

5

6 **SUP. ANTONOVICH:** WAS THE INFORMATION ABOUT THE PROJECT SENT TO
7 REPRESENTATIVES AT EDWARDS AIR FORCE BASE, AND DID THEY HAVE
8 ANY COMMENTS?

9

10 **MARK CHILD:** THE INFORMATION WAS SENT TO EDWARDS AIR FORCE
11 BASE. WE DIDN'T RECEIVE COMMENTS BUT THAT'S STANDARD PRACTICE
12 WHEN THEY DON'T HAVE COMMENTS FOR US.

13

14 **SUP. ANTONOVICH:** WHAT IS THE PUBLIC NOTICE FOR THIS PROJECT?

15

16 **MARK CHILD:** THE PROJECT WAS NOTICED TO ALL PROPERTY OWNERS
17 WITHIN 1,000 FEET OF THE SUBJECT PROPERTY. AND THEN IT WAS
18 ALSO PLACED IN THE LOCAL NEWSPAPER AND SIGNS WERE PLACED ON
19 THE STREET FRONTAGE TO ALERT ANY PASSERSBY THAT THERE WAS A
20 HEARING.

21

22 **SUP. ANTONOVICH:** AND HOW MANY OF THESE PROPERTIES ARE WITHIN
23 THAT 1,000-FOOT RADIUS, AND ARE ANY OF THEM DEVELOPED?

24

25 **MARK CHILD:** NONE OF DEVELOPED EXCEPT THE LANDFILL.



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1

2 **SUP. ANTONOVICH:** ARE THERE ANY SENSITIVE USES NEAR THE
3 PROJECT, SUCH AS CHURCHES, TEMPLES, SCHOOLS OR DAYCARE
4 CENTERS?

5

6 **MARK CHILD:** NO.

7

8 **SUP. ANTONOVICH:** HAVE MANY PEOPLE TESTIFIED AT THE REGIONAL
9 PLANNING COMMISSION PUBLIC HEARINGS?

10

11 **MARK CHILD:** THERE WERE A NUMBER OF TESTIFIERS IN SUPPORT OF
12 THE REGIONAL PLANNING COMMISSION, AND THERE WERE SEVERAL WHO
13 OPPOSED IT.

14

15 **SUP. ANTONOVICH:** WHAT WAS THE VOTE OF THE REGIONAL PLANNING
16 COMMISSION.

17

18 **MARK CHILD:** THE COMMISSION VOTED 3-0 TO APPROVE.

19

20 **SUP. ANTONOVICH:** AND FOR PUBLIC WORKS, WHAT ARE CONVERSION
21 TECHNOLOGIES?

22

23 **SPEAKER:** THESE ARE STATE-OF-THE-ART TECHNOLOGY FACILITIES THAT
24 ARE LOCATED IN EUROPE AND JAPAN WHICH CONVERT WASTE INTO
25 RENEWABLE ENERGY, CLEAN FUELS AND MARKETABLE PRODUCTS WITHOUT



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1 COMBUSTING THE WASTE. THE PURPOSE OF THESE FACILITIES IS TO
2 REDUCE THE AMOUNT OF WASTE NEEDED FOR DISPOSAL AND REDUCE
3 GREENHOUSE GAS EMISSIONS.

4

5 **SUP. ANTONOVICH:** AND IS THE BLUEFIRE PROJECT CONSIDERED A
6 CONVERSION TECHNOLOGY?

7

8 **SPEAKER:** THAT'S CORRECT.

9

10 **SUP. ANTONOVICH:** HOW LONG HAS PUBLIC WORKS BEEN EVALUATING
11 CONVERSION TECHNOLOGIES?

12

13 **SPEAKER:** SINCE THE LAST 1990S, WHEN YOUR BOARD ADOPTED A
14 POLICY DIRECTING PUBLIC WORKS TO PURSUE THE DEVELOPMENT OF
15 CONVERSION TECHNOLOGIES AS WELL AS ADOPTING THE COUNTY-WIDE
16 SITING ELEMENT, WHICH IS A LONG-TERM PLANNING DOCUMENT WHICH
17 INCLUDES STRATEGIES TO MEET OUR TRASH DISPOSAL NEEDS AS WELL
18 AS TO PURSUE CONVERSION TECHNOLOGIES.

19

20 **SUP. ANTONOVICH:** AND IS THE BLUEFIRE PROCESS ONE OF THE
21 CONVERSION TECHNOLOGIES RECOMMENDED BY PUBLIC WORKS?

22

23 **SPEAKER:** THAT'S CORRECT.

24



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1 **SUP. ANTONOVICH:** ARE THERE SIMILAR FACILITIES IN OPERATION?

2 AND IF SO, WHERE WOULD THEY BE LOCATED?

3

4 **SPEAKER:** THERE ARE SIMILAR FACILITIES PROCESSING BIOMASS INTO
5 ETHANOL. THERE IS TWO PILOT FACILITIES IN EXISTENCE IN THE
6 U.S. AND CANADA, ONE IN ARKANSAS, ONE IN QUEBEC, CANADA. THERE
7 ARE SEVEN COMMERCIAL-SCALE WASTE-TO-ETHANOL PROJECTS IN THE
8 PIPELINE IN DIFFERENT PERMITTING CONSTRUCTION PHASES.

9

10 **SUP. ANTONOVICH:** IN TERMS OF OVERALL ENVIRONMENTAL IMPACTS, IS
11 THERE A NET BENEFIT OR AN ADVERSE IMPACT RELATED WITH ETHANOL?

12

13 **SPEAKER:** WE REVIEWED STUDIES FROM THE U.S. DEPARTMENT OF
14 ENERGY, THE U.S. ENVIRONMENTAL PROTECTION AGENCY, AND THEY
15 CONCLUDED THAT ETHANOL HAS A NET ENVIRONMENTAL BENEFIT. IN
16 ADDITION, THESE AGENCIES ALSO DETERMINED THAT WASTE TO ETHANOL
17 PROJECTS ALSO HAVE A NET ENVIRONMENTAL IMPACT BECAUSE THEY
18 REDUCE THE NEED FOR LANDFILLS. THEY REDUCE THE NEED FOR
19 IMPORTING ETHANOL AS WELL AS REDUCE GREENHOUSE GAS EMISSIONS

20

21 **SUP. ANTONOVICH:** IS IT TRUE THAT THE FINDINGS OF THE JACOBSON
22 STUDY WHICH ARE CRITICAL OF ETHANOL HAVE BEEN CONTRADICTED BY
23 OTHER STUDIES INCLUDING A STUDY BY THE NATURAL RESOURCES
24 DEFENSE COUNCIL?

25



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1 **SPEAKER:** YES. WE TOOK A LOOK AT A NUMBER OF STUDIES CONDUCTED
2 BY AGENCIES, INCLUDING THE U.S. DEPARTMENT OF ENERGY, THE
3 CALIFORNIA AIR RESOURCES BOARD, THE SOUTH COAST AIR QUALITY
4 MANAGEMENT DISTRICT, U.S. E.P.A., THE NATIONAL RENEWABLE
5 ENERGY LAB, AND THE NATURAL RESOURCE DEFENSE COUNCIL, AND THEY
6 ALL CONCLUDED THAT HAD THE JACOBSON STUDY WAS DEFICIENT. THEIR
7 MAJOR FINDING WAS THAT THEY USED INCORRECT ASSUMPTIONS AS WELL
8 AS OVERSTATING THE IMPACT OF ETHANOL. AND ALSO, THERE WAS
9 INCORRECT DATA THAT THEY INCLUDED IN THEIR FINAL REPORT.

10

11 **SUP. ANTONOVICH:** WHAT WAS YOUR ANALYSIS OF POTENTIAL TRAFFIC
12 IMPACTS OF THIS SITE? WHAT DID YOU CONCLUDE?

13

14 **SPEAKER:** OUR TRAFFIC ENGINEERS EVALUATED THE TRAFFIC IMPACT,
15 AND IT WAS DETERMINED THAT THERE WOULD BE NO NEGATIVE IMPACT
16 ON LOCAL TRAFFIC FOR THE SIMPLE REASON THAT THE TRUCKS
17 DELIVERING THE GREEN WASTE AND WOOD WASTE TO THE LANDFILL
18 WOULD GO THERE ANYWAYS. AND ALL THEY'RE GOING TO BE DOING IS
19 REROUTED TO THE ADJACENT FACILITY.

20

21 **SUP. ANTONOVICH:** IS THE BLUEFIRE PROCESS THREATENING OR
22 HARMFUL TO THE PROJECT'S NEIGHBORS OR ANTELOPE VALLEY
23 RESIDENTS?

24



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1 **SPEAKER:** NOT AT ALL. THERE ARE A NUMBER OF REGULATORY AGENCIES
2 WHICH ARE GOING TO BE PROVIDING DIRECT OVERSIGHT OF THE
3 FACILITY, INCLUDING REGIONAL PLANNING, PUBLIC WORKS, PUBLIC
4 HEALTH, FIRE DEPARTMENT, THE REGIONAL WATER QUALITY CONTROL
5 BOARD, THE ANTELOPE VALLEY AIR POLLUTION CONTROL DISTRICT. AND
6 IN ORDER FOR THEM TO CONTINUE TO MAINTAIN THEIR FACILITY, IT
7 WILL HAVE TO COMPLY WITH ALL THOSE STRINGENT DEPARTMENTAL
8 REGULATIONS.

9

10 **SUP. ANTONOVICH:** FOR THE FIRE DEPARTMENT, YOU'VE REVIEWED THE
11 PLANS. WHAT KIND OF FIRE SUPPRESSION, LIFE SAFETY SYSTEMS ARE
12 YOU PROPOSING?

13

14 **SPEAKER:** WHAT'S BEEN PROPOSED FOR THE PROJECT UP TO THIS POINT
15 IS THERE WILL BE A FIXED FOAM SYSTEM INSTALLED IN SOME OF THE
16 LOADING DOCKS AND TANK PROCESSING AREAS, AND IT WILL BE
17 DESIGNED SPECIFICALLY FOR ALCOHOL-BASED COMPONENTS. THERE WILL
18 ALSO BE SOME LARGE DELUGE SYSTEMS INSTALLED THROUGHOUT THE
19 INFRASTRUCTURE. AND THERE WILL BE SOME PRE-PLUMBED FIXED
20 MONITORS THAT WILL BE UTILIZED PRIMARILY OUT IN THE FEED STOCK
21 AREA WHERE WE'LL HAVE A LARGE COMBUSTIBLE FEED STOCK STORAGE.

22

23 **SUP. ANTONOVICH:** HAVE YOU PROPOSED CONDITIONS OF APPROVAL FOR
24 THE C.U.P.?

25



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1 **SPEAKER:** YEAH, THE CONDITIONS SET BY THE FIRE DEPARTMENT HAVE
2 BEEN SUBMITTED TO REGIONAL PLANNING. MOST OF THOSE DEAL A LOT
3 WITH OUR STANDARD REQUIREMENTS WITH REGARD TO WATER AND
4 ACCESS. AND SOME OF THOSE REQUIREMENTS HAVE ALSO BEEN
5 INCREASED OVER AND BEYOND TO PROVIDE ADDITIONAL ACCESS AND
6 WATER BASED ON THE THREAT THAT WE PERCEIVE OUT THERE.

7

8 **SUP. ANTONOVICH:** DO YOU HAVE STAFF BASED IN THE ANTELOPE
9 VALLEY THAT ARE TRAINED TO RESPOND TO ANY EMERGENCY THAT WOULD
10 OCCUR?

11

12 **SPEAKER:** WITHIN THE ANTELOPE VALLEY AT ANY GIVEN TIME WE HAVE
13 WELL OVER 17 FIRE ENGINES AND TWO TRUCKS IN PLACE. WE HAVE A
14 HAZMAT TASKFORCE LOCATED OUT THERE THAT TRAINS WITH THIS
15 SPECIFIC TYPE OF FIRE. AND THEY'RE WELL EQUIPPED WITH FLASH
16 CHUTES TO DEAL WITH ALCOHOL-BASED FIRES. SO WE'RE MORE THAN
17 EQUIPPED AND PREPARED FOR THIS TYPE OF THREAT.

18

19 **SUP. ANTONOVICH:** SO IN THE EVENT OF AN EMERGENCY, YOU'RE
20 CONFIDENT THE DEPARTMENT HAS THE ABILITY TO PROTECT THE
21 WORKERS AND THE THE GENERAL PUBLIC?

22

23 **SPEAKER:** WITHOUT QUESTION, SIR.

24



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1 **SUP. ANTONOVICH:** LET ME CALL UP THE REPRESENTATIVE FROM THE
2 ANTELOPE VALLEY A.Q.M.D., AIR QUALITY MANAGEMENT DISTRICT,
3 BRET BANKS? FIRST GIVE YOUR NAME, BRET, FOR THE RECORD.

4
5 **BRET BANKS:** I'M BRET BANKS, OPERATIONS MANAGER FROM THE
6 ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT.

7
8 **SUP. ANTONOVICH:** THE ROLE OF THE WATER QUALITY A.Q.M.D.
9 CONCERNING THE BLUEFIRE PROJECT, WHAT WOULD BE YOUR ROLE?

10
11 **BRET BANKS:** WE'RE THE PERMITTING AGENCY FOR AIR QUALITY
12 ISSUES.

13
14 **SUP. ANTONOVICH:** AND WHAT MUST THEY OBTAIN? WHAT TYPE OF
15 PERMIT DO THEY OBTAIN FROM YOU?

16
17 **BRET BANKS:** INITIALLY THEY OBTAIN AN AUTHORITY TO CONSTRUCT
18 PERMIT THAT ALLOWS THE FACILITY TO GO FORWARD IN CONSTRUCTION
19 OF THE FACILITY. AND THEN BEYOND THAT, AFTER SOURCE TESTING
20 AND SOME OTHER REQUIREMENTS, WE WILL ISSUE A PERMIT TO OPERATE
21 IF APPROPRIATE.

22
23 **SUP. ANTONOVICH:** WHEN DID THEY APPLY?

24
25 **BRET BANKS:** JUNE 2007.



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1

2 **SUP. ANTONOVICH:** 2007. WAS THERE ANYTHING EXCEPTIONAL OR
3 UNIQUE ABOUT THIS APPLICATION?

4

5 **BRET BANKS:** NOT REALLY. YOU CAN BREAK A LOT OF THE INDUSTRIAL
6 PROCESSES INTO PRETTY COMMON PROCESSES. THE ONLY THING THAT WE
7 HAVEN'T SEEN AS AN AGENCY IS THEY HAVE A WOOD FIRED BOILER
8 THAT WAS UNIQUE TO OUR AREA BUT IS PERMITTED IN OTHER PARTS OF
9 CALIFORNIA.

10

11 **SUP. ANTONOVICH:** DO THEY HAVE TO PURCHASE EMISSION CREDITS
12 FROM OTHER COMPANIES IN ORDER TO SECURE APPROVAL FOR THEIR
13 PERMITS?

14

15 **BRET BANKS:** NO, SIR. THIS WOULD BE A MINOR SOURCE.

16

17 **SUP. ANTONOVICH:** IS IT GOING TO BE EXPECTED TO BE A MAJOR
18 SOURCE OF AIR POLLUTION OR EMISSIONS IN THE ANTELOPE VALLEY?

19

20 **BRET BANKS:** NOT BASED ON OUR ENGINEERING CALCULATIONS.

21

22 **SUP. ANTONOVICH:** HAS YOUR AGENCY ISSUED THE PERMITS TO
23 BLUEFIRE?

24



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1 **BRET BANKS:** PERMITS ARE PENDING APPROVAL OF OUR EXECUTIVE
2 OFFICER. THEY'RE ON HIS DESK FOR SIGNATURE TODAY.

3

4 **SUP. ANTONOVICH:** AND YOUR RECOMMENDATION TO YOUR DIRECTOR IS
5 TO APPROVE IT?

6

7 **BRET BANKS:** YES, SIR.

8

9 **SUP. ANTONOVICH:** OKAY. THERE ARE A NUMBER OF PEOPLE WHO HAVE
10 SIGNED UP FOR THIS PROJECT. LET ME JUST SAY ONE OF THE SERIOUS
11 PROBLEMS WE HAVE TODAY IS CONVERSION OF WASTE. ONE OF THE
12 UNIQUE PROGRAMS THAT WE HAVE IS THE TECHNOLOGY THAT'S BEING
13 EXPANDED IN CONVERTING WASTE INTO ENERGY AND TRYING TO DO IT
14 IN AN ENVIRONMENTAL SAFE MANNER. WE ARE, WITH THE PROPOSAL
15 THAT'S BEFORE US TODAY, IS AN ATTEMPT TO DO THAT. MR. MCDONALD
16 HAS SIGNED UP? THANK YOU.

17

18 **SUP. BURKE, CHAIR:** AND THEN ALSO JOHN COZENS, AND DANIEL
19 VILLAO, AND JOHN DUNLAP. JOE MCDONOUGH? JUST GIVE YOUR NAME
20 BEFORE YOU SPEAK FOR THE RECORD.

21

22 **JOE MCDONOUGH:** THANK YOU. MY NAME IS JOE MCDONOUGH, AND MYSELF
23 AND MY WIFE, JULIE MCDONOUGH, OWN THE PROPERTIES DIRECTLY
24 ADJACENT TO THE BLUEFIRE PROPOSED FACILITY. SO MY NAME MAY NOT
25 BE AS WELL KNOWN AS SOME OF THE ENDORSEMENTS I'VE SEEN, BUT



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1 HOPEFULLY YOU'LL CONSIDER THE FACT THAT I'M DIRECTLY NEXT DOOR
2 TO THIS PROPOSED VENTURE. SO ANYWAYS, MY UNDERSTANDING IS THAT
3 BLUEFIRE'S GOT APPROXIMATELY 10 ACRES THAT THEY PURCHASED THAT
4 THEY'RE GOING TO PUT THIS REFINERY INTO. I HAVE TWO PARCELS,
5 EACH ONE APPROXIMATELY 10 ACRES DIRECTLY NEXT DOOR TO THAT. SO
6 IN TOTAL, APPROXIMATELY 20 ACRES. WE FIRST LEARNED ABOUT THIS
7 PARTICULAR PROJECT WHEN I RECEIVED A LETTER FROM THE BOARD OF
8 SUPERVISORS. AND MOST BASICALLY WHAT WE'RE CONCERNED ABOUT IS
9 THAT THIS PLANT COULD POTENTIALLY LIMIT THE FUTURE USES OF OUR
10 PROPERTY. IN OTHER WORDS, THERE COULD BE DECREASED INTEREST
11 FROM POTENTIAL BUYERS THAT ARE CONCERNED ABOUT THIS FACILITY
12 NEXT DOOR. BECAUSE OF THAT LACK OF INTEREST, THERE COULD BE
13 DETRIMENTAL IMPACTS ON THE VALUE OF THIS PROPERTY MOVING
14 FORWARD. AND THEN THERE ARE SOME LONG-TERM RISKS ASSOCIATED
15 WITH THE FACILITY. I'LL JUST BRIEFLY GO OVER SOME OF THE RISKS
16 THAT I'VE DETERMINED BASICALLY USING AN INTERNET SEARCH. I
17 UNDERSTAND THAT THERE ARE ODORS AND FUMES THAT CANNOT BE
18 TOTALLY ELIMINATED BY THE ETHANOL GENERATION PROCESS. THERE IS
19 A DUMP THAT'S IN THE GENERAL FACILITY, SO THESE RESIDUAL FUMES
20 CAN EXACERBATE THE SITUATION WITH THE ODORS. SECONDLY, ETHANOL
21 FACILITIES TEND TO STORE SIGNIFICANT QUANTITIES OF SULFURIC
22 ACID. NOW, I KNOW THERE'S MITIGATIONS THAT YOU CAN DO FOR
23 THAT, BUT THERE'S STILL THE POTENTIAL FOR AN EVENT THAT COULD
24 CAUSE FUMES TO ESCAPE. ALSO ETHANOL, THERE WILL BE SIGNIFICANT
25 QUALITIES THERE, COULD HAVE A TENDENCY TO EXPLODE UNDER THE



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1 RIGHT CONDITIONS. AND THIS AGAIN, I'M SITTING DIRECTLY NEXT
2 DOOR TO THIS PROPERTY, AND HERE THERE'S THIS BIG FACILITY THAT
3 SOME DAY MAY OR MAY NOT EXPLODE. AND THAT CAN CAUSE
4 IMPLICATIONS FOR POTENTIAL PURCHASERS. AND OF COURSE, YOU
5 ADDRESSED SOME OF THE TRANSPORTATION ISSUES. BUT THERE WILL BE
6 ETHANOL TRUCKS OR SOMEHOW THEY'RE GETTING ALL THIS ETHANOL
7 PAST THE PROPERTY. NOW I DID TAKE SOME TIME TO SPEAK DIRECTLY
8 WITH MR. BILL DAVIS OF BLUEFIRE. NICE GUY. HE TALKED ABOUT
9 SOME OF THE MITIGATION PLANS. HOWEVER, I DO WANT TO REINFORCE
10 THAT THE REASON WHY THERE'S ACCIDENTS IS BECAUSE THEY ARE
11 ACCIDENTS. AND I'M SITTING DIRECTLY NEXT DOOR TO THIS. NOW, IN
12 FAIRNESS TO BLUEFIRE, THEY DID MAKE MY WIFE AND I AN OFFER FOR
13 ONE OF THE PROPERTIES. AND AS YOU KNOW, PEOPLE CAN DIFFER IN
14 WHAT THE VALUE OF THE PROPERTY IS. WE HAD PROVIDED THEIR AGENT
15 WITH COMPS SOMEWHERE IN THE NEIGHBORHOOD OF ABOUT 149 K FOR
16 EACH 10-ACRE PARCEL. THEIR OFFER WAS 65 K MOST RECENTLY. BUT I
17 DID FIND OUT LOOKING AT THE COUNTY ASSESSORS' RECORDS THAT
18 THEY PAID 95 K FOR THEIR PARTICULAR PROPERTY. SO I DON'T KNOW
19 IF THEY'RE GOING TO OFFER THAT AS AN ATTEMPT TO TRY TO APPEASE
20 THE SURROUNDING LAND OWNERS OR NOT, BUT I JUST WANTED TO MAKE
21 IT AWARE THAT WE DIDN'T CONSIDER THAT AS REASONABLE. SO KIND
22 OF IN SUMMARY, THERE ARE A NUMBER OF RISKS THAT ARE ASSOCIATED
23 WITH THE PROPERTY. I OWN THE PROPERTIES DIRECTLY ADJACENT TO
24 THAT. I FEEL THAT THAT'S GOING TO NEGATIVELY IMPACT MY



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1 INVESTMENT. AND FOR THOSE REASONS, I'M AGAINST THE ETHANOL
2 FACILITY. BUT I AM OPEN TO DISCUSSION WITH THEM. THANK YOU.

3

4 **DANIEL VILLAO:** MADAME CHAIR, DISTINGUISHED BOARD MEMBERS,
5 THANK YOU FOR HEARING US TODAY. MY NAME IS DANIEL VILLAO, I AM
6 THE COUNSEL REPRESENTATIVE FOR THE LOS ANGELES- ORANGE COUNTY
7 BUILDING AND CONSTRUCTION TRADES COUNCIL. WE REPRESENT
8 APPROXIMATELY 130,000 UNIONIZED CONSTRUCTION WORKERS IN LOS
9 ANGELES AND ORANGE COUNTY. AMONG THEM, THE CIVIL SERVANTS THAT
10 WORK FOR THE COUNTY OF LOS ANGELES. OUR INTEREST IN THIS
11 PROJECT IS OBVIOUS. WE WANT TO BUILD IT. WE WANT OUR MEMBERS
12 TO WORK ON THAT PROJECT. WE WANT OUR CONTRACTORS TO BID FOR
13 THAT PROJECT. WE THINK IT'S A GOOD PROJECT. HOWEVER, WE THINK
14 IT'S COMPLETELY APPROPRIATE TO LOOK AT THE ENVIRONMENTAL
15 IMPACTS. WE BELIEVE YOUR STAFF HAS DONE THAT AND HAS TAKEN A
16 SOLID LOOK AT WHAT'S GOING ON THERE. WHAT WE ARE CONCERNED
17 ABOUT IS THAT THIS IS GOING TO BE A VERY TECHNICAL, VERY
18 COMPLEX PROJECT. AND WE WANT TO MAKE SURE THAT THE PEOPLE WHO
19 WORK ON IT, NUMBER ONE, ARE FROM THE LOCAL AREA AND, NUMBER
20 TWO, HAVE THE CAPACITY TO BUILD THIS PROJECT. OUR MEMBERS
21 PARTICIPATE IN APPRENTICESHIP PROGRAMS RANGING FROM THREE,
22 FOUR AND FIVE YEARS, AND WE BELIEVE THEY'RE THE MOST
23 TECHNICALLY SAVVY, BEST PREPARED WORKERS TO DELIVER THIS
24 PRODUCT. IN ADDITION TO THAT, WE HAVE BEEN IN CONVERSATIONS
25 WITH BLUEFIRE REGARDING CREATING A PROJECT LABOR AGREEMENT FOR



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1 THIS. WE THINK IT'S COMPLETELY APPROPRIATE. THEY'VE EXPRESSED
2 INTEREST IN THAT DISCUSSION. THE CREATION OF SUCH AN AGREEMENT
3 FOR THIS PROJECT WOULD ALLOW FOR THE LOCAL HIRING OF WORKERS
4 WHO CURRENTLY ARE MEMBERS IN THE AREA AND ALSO FOR
5 APPRENTICES, WHICH AS YOU KNOW IN THIS ECONOMIC ENVIRONMENT IS
6 ANOTHER CRITICAL COMPONENT THAT WE CAN SERVE IN THIS AREA. THE
7 CREATION OF NEW JOBS FOR YOUNG PEOPLE AND SUSTAINABLE WORK IN
8 THE FUTURE THAT THIS PROJECT WILL PROVIDE FOR LOCAL COUNTY
9 RESIDENTS IS CRITICAL. AND SO WE WOULD ENCOURAGE YOU TO
10 APPROVE THIS PROJECT. OBVIOUSLY WE HAVE SOME CONCERNS ABOUT
11 WHO'S GOING TO BUILD IT. WE DON'T WANT TO SEE PEOPLE SHIPPED
12 IN FROM OTHER STATES OR GUYS PICKED UP AT THE HOME DEPOT. SO
13 WE HAVE SOME SIGNIFICANT CONCERN ABOUT WHO'S GOING TO PUT THE
14 PROJECT TOGETHER. BUT WE THINK IT'S A GOOD PROJECT AND WE
15 ENDORSE IT.

16
17 **JOHN DUNLAP:** GOOD AFTERNOON, MADAME CHAIR AND MEMBERS OF THE
18 BOARD. I'M JOHN DUNLAP, FORMER CHAIR OF THE CALIFORNIA
19 RESOURCES BOARD AND A FORMER CHIEF DEPUTY DIRECTOR OF THE
20 DEPARTMENT OF TOXIC SUBSTANCES CONTROL. I WANTED TO SPEAK OUT
21 ON BEHALF OF BLUEFIRE'S CELLULOSIC ETHANOL PLAN FOR THIS
22 LANCASTER DISTRICT. THIS PLANT WOULD BE TRULY CUTTING EDGE AND
23 VERY TIMELY BECAUSE CALIFORNIA IMPORTS FROM OUT OF STATE ABOUT
24 90 PERCENT OF THE 950 MILLION GALLONS OF ETHANOL USED IN
25 BLENDED GASOLINE CONSUMED BY CALIFORNIA MOTORISTS. THERE WILL



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1 BE INCREASED NEED FOR ETHANOL IN CALIFORNIA NO DOUBT BECAUSE
2 THE AIR RESOURCES BOARD RECENTLY CHANGED THE ALLOWABLE VOLUME
3 OF ETHANOL IN GASOLINE FROM 5.7% BY VOLUME TO 10% BEGINNING
4 NEXT YEAR. THIS WILL INCREASE THE LIKELY NEED BY OVER 600
5 MILLION GALLONS. AND LET ME SAY VERY CLEARLY THAT THE DEMAND
6 FOR CELLULOSIC ETHANOL IN PARTICULAR IS GREAT. THE BLUEFIRE
7 ETHANOL PLANT, AS YOU HEARD, WILL BE USING ABOUT 170 DRY TONS
8 OF LANDFILL MATERIAL THAT WILL BE DIVERTED THAT WILL SET THE
9 STAGE FOR WHAT I BELIEVE TO BE SIGNIFICANT ENVIRONMENTAL
10 STEWARDSHIP EXAMPLE BEING SET IN THE BIOFUELS ARENA THAT WILL
11 BE NOTICED THROUGHOUT THE UNITED STATES. THIS PLANT IS SORELY
12 NEEDED AND WILL DO MUCH TO POSITION L.A. COUNTY AS A LEADER AT
13 THE PERFECT TIME, WHEN THE STATE WILL UNVEIL THE LOW CARBON
14 FUEL STANDARD, WHICH IS SET TO GO FORWARD IN MARCH OF 2009,
15 WHICH WILL REQUIRE A CARBON FOOTPRINT REDUCTION OF 10 PERCENT
16 OF ALL FUEL SOLD IN CALIFORNIA. THE MODEST 3.2 MILLION GALLONS
17 OF CELLULOSIC ETHANOL WILL IMPROVE THE TECHNOLOGY LOCALLY, AS
18 I MENTIONED. THIS SMALL COMPANY HAS INVESTED HEAVILY TO BRING
19 THIS RENEWABLE FUELS TECHNOLOGY FORWARD AND I WANTED TO
20 ACKNOWLEDGE AND COMMEND THEM FOR THAT. IT IS MY HOPE THAT YOUR
21 BOARD WILL APPROVE THIS PROJECT AND DENY THE APPEAL. FOR YOUR
22 INFORMATION, MY SUCCESSOR AT CARB, YOU HEARD ABOUT THIS, MARY
23 NICHOLS, AS WELL AS ONE OF THE DEPUTY DIRECTORS AT THE
24 CALIFORNIA ENERGY COMMISSION, HAVE SENT SUPPORTIVE
25 COMMUNICATIONS ON THIS PROJECT TO SUPERVISOR ANTONOVICH,



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1 CITING THE IMPORTANCE OF BLUEFIRE'S PLAN FOR GREENHOUSE GAS
2 AND CRITERIA AIR POLLUTANT BENEFITS, AS WELL AS LESSENING OUR
3 DEPENDENCE ON IMPORTED FOREIGN OIL. THE TIME IS RIGHT FOR THIS
4 PROJECT. I DO NOT WANT YOU TO UNDERESTIMATE THE VALUE OF
5 HAVING IT IN YOUR COUNTY. I THINK IT WILL BE SIGNIFICANT.

6

7 **SUP. ANTONOVICH:** ARE YOU RELATED TO SENATOR DUNLAP?

8

9 **JOHN DUNLAP:** I'M NOT, NO, BUT THANK YOU.

10

11 **SUP. ANTONOVICH:** I SERVED WITH HIM, I THINK YVONNE SERVED WITH
12 SENATOR DUNLAP WHEN WE WERE IN THE LEGISLATURE.

13

14 **JOHN DUNLAP:** EARLIER IN MY CAREER I USED TO USE THAT TO GET
15 FAVORABLE COMMENT. SO THANK YOU, SUPERVISOR.

16

17 **SUP. ANTONOVICH:** VERY GOOD.

18

19 **JOHN DUNLAP:** BUT IT'S A PLEASURE TO BE HERE AND I THINK IT'S A
20 GREAT PROJECT.

21

22 **SUP. ANTONOVICH:** THANK YOU FOR COMING DOWN. LET ME CALL UP
23 ALSO WILLIAM DAVIS, ALEX BEALER, CHIP CLEMENTS. YES, SIR.

24



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1 **JOHN CUZENS:** MADAME CHAIR, MEMBER SUPERVISORS, MY NAME IS JOHN
2 CUZENS, I'M A SENIOR VICE PRESIDENT, CHIEF TECHNOLOGY OFFICER
3 FOR BLUEFIRE ETHANOL. I HAVE A CHEMICAL ENGINEERING DEGREE, A
4 PROFESSIONAL MECHANICAL ENGINEERING LICENSE, AND A RESPONSIBLE
5 MANAGING EMPLOYEE FOR CONTRACTOR'S A LICENSE FOR THE COMPANY.
6 I AM OBVIOUSLY IN SUPPORT OF THE PROJECT. AND I WILL WAIVE THE
7 REST OF MY TIME FOR QUESTIONS SHOULD THERE BE ANY. THANK YOU.

8

9 **CHIP CLEMENTS:** YES, MY NAME IS CHIP CLEMENTS. I'M A LOCAL
10 CONSULTANT HERE FROM CLEMENTS ENVIRONMENTAL. I'VE BEEN IN THE
11 WASTE AND RECYCLING ENERGY INDUSTRY FOR OVER 30 YEARS. AND I
12 JUST WANTED TO SORT OF PAINT THE BIG PICTURE OF HOW THIS
13 PROJECT FITS IN IN OUR AREA AND ALSO IN CALIFORNIA. WE'RE AT
14 THE NEXUS OF THREE INCREDIBLY POWERFUL FORCES THAT A PROJECT
15 EXACTLY LIKE THIS WILL ADDRESS. NUMBER ONE IS OUR NEED FOR
16 RESOURCE CONSERVATION. AS YOU KNOW, WITH THE PUENTE HILLS
17 LANDFILLS CLOSING, OUR OTHER LANDFILLS ARE CLOSING AND
18 THROUGHOUT THE STATE, WE'RE INCREASING THE PERCENTAGE OF
19 DIVERSION THAT WE MUST GET FROM THE LANDFILLS. NUMBER TWO IS
20 OUR DRIVE FOR ENERGY INDEPENDENCE AND RENEWABLE HOME GROWN
21 FUEL, AND THROUGHOUT THE COUNTRY WE KNOW HOW IMPORTANT THAT IS
22 NOW. AND THIRD IS OUR FIGHT AGAINST GLOBAL WARMING. ALL THREE
23 OF THESE COME TOGETHER IN A PROJECT JUST LIKE THIS WE CALL
24 CONVERSION TECHNOLOGIES, AS PAUL MENTIONED BEFORE. SO NOT ONLY
25 WILL THIS PROJECT ADDRESS POSITIVELY THESE THREE BIG ISSUES



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1 BUT ALSO CREATE JOBS AND ALL WITH VERY SMALL ENVIRONMENTAL
2 IMPACTS. JUST SO YOU'LL KNOW WHAT'S GOING ON, RIGHT NOW MY
3 COMPANY IS WORKING NOT ONLY WITH THE COUNTY OF LOS ANGELES BUT
4 WITH THE CITY OF LOS ANGELES, THE CITY OF SAN DIEGO, THE CITY
5 AND COUNTY OF SANTA BARBARA, THE CITY OF SAN JOSE, AND OF ALL
6 PLACES, FLAT HEAD, MONTANA, ON CONVERSION TECHNOLOGY PROJECTS
7 AND THE NEED FOR THESE. AND ALL THESE JURISDICTIONS ARE
8 LOOKING AT THESE LIKE WE ARE RIGHT HERE. THIS PROJECT,
9 BLUEFIRE ETHANOL IN LANCASTER, WILL BE THE FIRST OR ONE OF THE
10 FIRST COMMERCIAL-SCALE CONVERSION TECHNOLOGY FACILITIES IN THE
11 UNITED STATES, AND THAT'S WHY IT'S SO CRITICAL THAT IT MOVE
12 FORWARD HERE. AND I THINK THIS IS REALLY THE FUTURE FOR OUR
13 NATION AS FAR AS THIS DRIVE FOR SUSTAINABILITY THAT WE TALK
14 ABOUT. AS YOU'VE HEARD, THE PROJECT WILL CONVERT LOW GRADE
15 ORGANICS, SUCH AS OUR CURBSIDE GREEN WASTE MATERIAL THAT A LOT
16 OF IS ACTUALLY GOING FOR COVER AT THE LANDFILLS, AND THAT'S
17 GOING TO BE PHASED OUT IN THE NEAR FUTURE. WE'RE GOING TO BE
18 ABLE TO TAKE THIS MATERIAL AND ACTUALLY MAKE ETHANOL, WHICH
19 WE'RE USING IN OUR VEHICLES RIGHT NOW, AND UP TO ABOUT A
20 BILLION GALLONS PER YEAR HERE IN CALIFORNIA. AND NOW ALMOST
21 ALL THAT ETHANOL IS COMING FROM EITHER CORN IN THE MIDWEST OR
22 FROM SUGAR CANE IN BRAZIL. AND THIS PROJECT ACTUALLY
23 REPRESENTS A NEW PARADIGM. THIS IS BEYOND CORN. THIS IS BEYOND
24 USING FOOD FOR ETHANOL. THIS IS ACTUALLY USING CELLULOSE AND
25 ORGANIC WASTE MATERIAL TO MAKE ETHANOL FROM LOCAL FEED STOCKS,



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1 THIS ISN'T COMING FROM ILLINOIS OR BRAZIL. THIS IS COMING FROM
2 OUR OWN LOCAL AREAS TO MAKE LOCAL FUEL THAT WE'LL USE RIGHT
3 HERE IN THE L.A. BASIN. AND THE OTHER GREAT THING IS IT
4 ACTUALLY REDUCES GREENHOUSE GAS EMISSIONS. YOU ALL KNOW HOW
5 IMPORTANT THAT IS AS FAR AS GLOBAL WARMING. SO TO SORT OF
6 SUMMARIZE THIS, I'LL SAY THIS PROJECT IS GOING TO BE A GREAT
7 EXAMPLE OF WHAT'S POSSIBLE, NOT ONLY HERE BUT THROUGHOUT THE
8 ENTIRE COUNTRY. AND IT'S GOING TO PAVE THE WAY FOR PROJECTS IN
9 ALL THESE OTHER JURISDICTIONS THAT ARE LOOKING PRIMARILY TO
10 SEE WHAT WE DO HERE IN THE LOS ANGELES AREA TO SEE WHAT THEY
11 WANT TO DO IN THEIR JURISDICTIONS. SO WE ARE LITERALLY LEADING
12 THE WAY INTO THE FUTURE.

13

14 **SUP. BURKE, CHAIR:** YOUR TIME IS UP.

15

16 **CHIP CLEMENTS:** I STRONGLY SUPPORT THIS PROJECT.

17

18 **SUP. ANTONOVICH:** THANK YOU. BEFORE YOU SPEAK. JOHN RAMIREZ AND
19 TRAVIS SALLADAY. YES, SIR?

20

21 **WILLIAM DAVIS:** MY NAME IS WILLIAM DAVIS. I'M VICE PRESIDENT OF
22 PROJECT MANAGEMENT FOR BLUEFIRE ETHANOL. MADAME CHAIR,
23 SUPERVISORS, THANK YOU. BLUEFIRE HAS DEVELOPED A TECHNOLOGY
24 THAT WE BELIEVE CAN BE RIGHT SIZED JUST LIKE MR. CLEMENTS
25 IDENTIFIED. THE AMOUNT OF MATERIAL THAT GETS THROWN AWAY EVERY



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1 DAY IN THIS COUNTRY, IF CONVERTED TO ETHANOL, COULD LARGELY
2 ELIMINATE THE TOTAL AMOUNT OF IMPORTED GASOLINE THIS COUNTRY
3 REQUIRES. AND AS SUCH, OVER THE LAST 15 YEARS OUR COMPANY HAS
4 PUT TOGETHER A PLAN AND THE TECHNOLOGY FOR THE DEPLOYMENT OF
5 THIS ACROSS THE UNITED STATES, TRYING TO SITE EACH AND EVERY
6 ONE OF THESE OPPORTUNITIES AT THE NEXUS OF WHERE THE MATERIAL
7 CURRENTLY GOES TO MINIMIZE THE OVERALL SITE IMPACT. IF YOU
8 LOCATE NEXT TO WHERE THE MATERIAL IS NATURALLY GOING, THERE'S
9 NO ADDITIONAL TRUCK TRAFFIC ASSOCIATED WITH THAT. THE
10 TECHNOLOGY THAT WE PROPOSED IS A CLOSED SYSTEM. SO THAT
11 NOTHING LEAVES THE SITE. NOTHING GOES TO SANITARY SEWER. IT'S
12 USED AND REUSED AND REUSED TO THE POINT WHERE IT HAS SO MANY
13 TOTAL DISSOLVED SOLIDS THAT WE EVAPORATE WATER OFF OF THAT. WE
14 USE TERTIARY WATER. WE DON'T USE DRINKING WATER FOR ALL THE
15 PLANT ACTIVITIES AND A LARGE PORTION OF FIRE SUPPRESSION.
16 WE'VE TRIED TO MAKE THIS PLANT AS HAVING THE MINIMAL
17 ENVIRONMENTAL IMPACT THAT ANY KIND OF AN INDUSTRIAL FACILITY
18 COULD POSSIBLY HAVE. WE LOOK FORWARD TO TRYING TO DEPLOY THIS
19 SHORTLY AFTER THE LANCASTER FACILITY IN RIVERSIDE, CALIFORNIA.
20 WE'VE BEEN THE RECIPIENT OF A \$40 MILLION GRANT FROM THE
21 DEPARTMENT OF ENERGY. WE'RE ALSO THE RECIPIENT OF A LOAN
22 GUARANTEE FROM THE DEPARTMENT OF ENERGY. OUR PLAN IS TO DEPLOY
23 THESE TECHNOLOGIES WHERE THEY WILL DO THE BEST, THE MOST
24 BENEFIT FOR THE LOCAL COMMUNITIES. WHERE YOU'VE GOT THE
25 LARGEST CONCENTRATION OF TRASH, YOU NORMALLY HAVE THE LARGEST



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1 CONCENTRATION OF PEOPLE. WE HAVE THE LARGEST CONCENTRATION OF
2 PEOPLE, YOU HAVE THE LARGEST CONCENTRATION OF VEHICLES. THE
3 ENTIRE PARADIGM IS TO TRY AND FIGURE OUT HOW, WITH THE MINIMUM
4 AMOUNT OF ENERGY, ENVIRONMENTAL IMPACT TO PROVIDE A FEED
5 STOCK, A FUEL FOR THE LOCAL BASE. AND THIS IS WHAT WE'RE
6 TRYING TO DO UP IN LANCASTER. IN ADDITION TO WHAT'S BEEN
7 PROVIDED, I'VE JUST BEEN HANDED AN ADDITIONAL 45-PLUS LETTERS
8 FROM INDIVIDUALS IN THE AREA. AND TO COMPLETE THE RECORD,
9 BECAUSE I'M NOT SURE WHETHER OR NOT WITH ALL THE LAST-MINUTE
10 RUNNING AROUND, I HAVE COPIES FOR EACH OF THE SUPERVISORS OF
11 ORIGINALS OR COPIES OF THE ORIGINALS LETTERS FROM THE AIR
12 RESOURCES BOARD AND THE OTHER ENTITIES THAT HAVE BEEN
13 IDENTIFIED. I DON'T KNOW WHO TO HAND THIS ONE TO. BUT THAT
14 CONCLUDES MY COMMENTS.

15
16 **SUP. ANTONOVICH:** THANK YOU.

17
18 **JOHN RAMIREZ:** GOOD AFTERNOON. MADAME CHAIR AND MEMBERS OF THE
19 BOARD. MY NAME IS JOHN RAMIREZ. I WORK ON BEHALF OF THE
20 APPLICANT. I WILL RESPECTFULLY WAIVE MY TIME OUT OF RESPECT
21 FOR THE AUDIENCE AND THE BOARD BUT CERTAINLY WE THINK THE
22 PROJECT HAS BEEN THOROUGHLY ASSESSED FROM AN ENVIRONMENTAL
23 STANDPOINT.

24
25 **SUP. ANTONOVICH:** YOU DON'T WANT TO GO TO DINNER WITH US?



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1

2 **JOHN RAMIREZ:** PERHAPS FOLLOWING AN APPROVAL THAT WOULD BE --
3 [LAUGHTER.] THANK YOU VERY MUCH.

4

5 **ALEX BEALER:** MY NAME IS ALEX BEALER WITH REESE-CHAMBERS
6 SYSTEMS CONSULTANTS. I'M A PRIVATE CONSULTANT FOR BLUEFIRE,
7 AND I'D LIKE TO WAIVE MY TIME.

8

9 **SUP. ANTONOVICH:** OKAY. LET ME FIRST CALL UP ALSO ADRIENNE
10 SHERWOOD AND MICHAEL CONNER. YES, SIR. YOU'RE ON.

11

12 **TRAVIS SALLADAY:** MY NAME IS TRAVIS SALLADAY, LONG-TIME
13 ANTELOPE VALLEY RESIDENT. LET ME BEGIN BY SAYING THE
14 TECHNOLOGY THAT BLUEFIRE ETHANOL UTILIZES HAS BEEN AROUND IN
15 ONE FORM OR ANOTHER FOR 110 YEARS. THE DIFFERENCE BEING,
16 BLUEFIRE PERFECTED IT. THE TECHNOLOGY BEGAN IN GERMANY AND WAS
17 USED EXTENSIVELY IN WORLD WAR I AND II. THE PROCESS SOON FOUND
18 ITS WAY TO AMERICA. TWO COMMERCIAL PLANTS OPERATED IN THE
19 SOUTHEAST DURING WORLD WAR I, ONE IN THE NORTHWEST DURING
20 WORLD WAR II. IN THE LATE 1970S THROUGH 1985, THE U.S.
21 GOVERNMENT BROUGHT THE TECHNOLOGY BACK TO THE OIL SHORTAGES IN
22 1970S. ONCE THE PROBLEM WAS OVER AND PRICES CAME DOWN FOR OIL,
23 ALL RENEWABLE SOURCES OF ENERGY WERE ABANDONED. THE WINDOW OF
24 OPPORTUNITY TO BECOME ENERGY INDEPENDENT CLOSED. I AM
25 CONFIDENT THAT LOS ANGELES COUNTY WILL PROVE TO BE A LEADER IN



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1 CONTINUING WHAT WAS STARTED BUT NOT FINISHED AFTER THE CARTER
2 ADMINISTRATION AND TO AID THE NEXT ADMINISTRATION IN REACHING
3 ENERGY INDEPENDENCE FOR AMERICA. BLUEFIRE ETHANOL IS NOT NEW
4 TO THE ETHANOL GAME. THEY OPERATED A PILOT PLAN FROM 1995 TO
5 2000 LOCATED IN ORANGE, CALIFORNIA ALSO A PLANT OPERATED ON
6 BEHALF OF THE JAPANESE GOVERNMENT FROM 2002 TO 2007 LOCATED IN
7 IZUMI, JAPAN. ETHANOL HAS TREMENDOUS POTENTIAL FOR A GROWTH AS
8 AN ALTERNATIVE TO GASOLINE. ANY VEHICLE ON THE ROAD CAN RUN ON
9 A FLEX FUEL BLEND THAT CONTAINS 10 PERCENT ETHANOL. AND WITH
10 MINOR MODIFICATIONS, CARS AND TRUCKS CAN BECOME FLEX FUEL
11 VEHICLE. THEY RUN ON A FUEL BLEND CALLED E85, A MIX OF 85
12 PERCENT ETHANOL AND 15 PERCENT GASOLINE. CORN AND OTHER FOOD
13 IS NOT AN OPTION FOR ETHANOL. TOO EXPENSIVE AND CREATES FOOD
14 INFLATION. LANDFILL WASTE TO ETHANOL IS READY NOW. LANDFILLS
15 ACROSS THE U.S. ARE REACHING THEIR END OF LIFE. BLUEFIRE'S
16 TECHNOLOGY CAN BE DEPLOYED QUICKLY AND WILL EXTEND THESE
17 LANDFILLS' LIVES WELL INTO THE FUTURE. THE LANCASTER FACILITY
18 IS IDEALLY LOCATED NEAR A LANDFILL AND WILL BE FED DIRECTLY BY
19 WASTE MANAGEMENT. LANCASTER IS THE ONLY PLACE WITH THE ACREAGE
20 AND PROXIMITY TO A LANDFILL. THIS IS THE ONLY PLACE TO PUT
21 THIS FACILITY IN LOS ANGELES COUNTY. CALIFORNIA IS THE LARGEST
22 CONSUMER OF ETHANOL IN THE NATION. IN 2005, OVER 950,000,000
23 GALLONS, OR 62,000 BARRELS PER DAY, 24 PERCENT SHARE OF U.S.
24 DEMAND. ALMOST ALL OF CALIFORNIA SUPPLY IS IMPORTED FROM THE
25 MIDWEST AND IS CORN-BASED. HAVING TO IMPORT IS A TRAVESTY.



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1 OTHER FORMS OF ALTERNATIVE ENERGY HAVE SERIOUS ISSUES FACING
2 THEM. SOLAR ENERGY PANELS DO NOT LAST FOREVER. AT SOME POINT
3 THEY MUST BE DISCARDED. BUT WHERE? LANDFILLS. THE E.P.A. DOES
4 NOT LIST SOLAR PANELS UNDER IT IS E-CYCLING PROGRAM. THE
5 PANELS CONTAIN NUMEROUS TOXIC CHEMICALS AND CARCINOGENIC
6 MATERIALS, SUCH AS LEAD, BROMINATED FLAME RETARDANT,
7 HEXAVALENT CHROMIUM, AND CADMIUM, WHICH IS EXTREMELY TOXIC.
8 THESE HIGHLY TOXIC CHEMICALS COULD EVENTUALLY MAKE THEIR WAY
9 INTO THE WATER SUPPLY. WIND FARMS, SUCH AS THE ONE LOCATED
10 NEAR SAN FRANCISCO IN THE ALTAMONT PASS, CREATES SEVERE VISUAL
11 POLLUTION, NOT TO MENTION AN ANNUAL BODY COUNT OF BIRDS KILLED
12 AT 4,700, WHICH IS A CONSERVATIVE ESTIMATE. BLUEFIRE ETHANOL
13 MEETS THE NEEDS OF THIS GREAT NATION OF OURS WITH LITTLE IF
14 ANY DOWN SIDE. THAT FAR OUTWEIGHS THE SUSPECT CONCERNS OF --
15 MATTER THAT IS WEIGHING ON THE MINDS OF PROFESSIONAL PROTEST
16 GROUPS. I'M ASKING YOU, THE BOARD, TO LEAD CALIFORNIA AND THIS
17 NATION OF OURS TOWARDS ENERGY INDEPENDENCE.

18
19 **SUP. BURKE, CHAIR:** YOUR TIME IS EXPIRED.

20
21 **TRAVIS SALLADAY:** THANK YOU.

22
23 **SUP. ANTONOVICH:** YES SIR.



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1 **MIKE CONNER:** MY NAME IS MIKE CONNER. AS A 20-YEAR RESIDENT OF
2 THE ANTELOPE VALLEY, I'M HAPPY THAT THIS THIS BIOREFINERY WILL
3 BE DIVERTING GREEN WASTE FROM THE LOCAL LANDFILL AND PROVIDING
4 AN ALTERNATIVE FUEL SOURCE FOR THE RESIDENTS. I CURRENTLY LIVE
5 NEAR ONE OF THE LANDFILLS THAT BLUEFIRE WILL BE UTILIZING. IN
6 ADDITION TO BEING A CLEAN WAY TO RECYCLE WASTE AND TURN IT
7 INTO FUEL, THE BLUEFIRE BIOREFINERY WILL CONTRIBUTE TO THE
8 LOCAL TAX BASE, PROVIDE JOBS FOR LOCAL RESIDENTS. THIS PROJECT
9 WILL NOT GENERATE TRAFFIC AND WILL IT NOT ADVERSELY AFFECT THE
10 AREA. FOR THESE REASONS AND MANY OTHERS, I RESPECTFULLY
11 REQUEST THAT YOU UPHOLD THE COUNTY PLANNING COMMISSION'S
12 DECISION TO ALLOW BLUEFIRE ETHANOL TO CONSTRUCT THIS
13 BIOREFINERY. THANK YOU.

14

15 **SUP. ANTONOVICH:** THANK YOU. YES, MA'AM.

16

17 **ADRIENNE SHERWOOD:** MY NAME IS ADRIENNE SHERWOOD AND I LIVE IN
18 LAKE LOS ANGELES, WHICH IS IN THE ANTELOPE VALLEY ABOUT 20
19 MILES EAST OF LANCASTER IN PALMDALE. I WISH TO EXPRESS MY
20 SUPPORT FOR BLUEFIRE ETHANOL. THIS MORNING, THE PRICE OF A
21 BARREL OF CRUDE OIL WAS AROUND \$63. AND FOR THE FIRST TIME IN
22 A LONG TIME, GASOLINE IS UNDER \$3 A GALLON. IT IS VITALLY
23 IMPORTANT THAT WE NOT ALLOW OURSELVES TO GET COMPLACENT
24 BECAUSE WE THINK THE ENERGY CRUNCH IS SOLVING ITSELF. OIL WILL
25 GO BACK UP AGAIN, PROBABLY IN THE VERY NEAR FUTURE, JUST AS IT



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1 HAS IN THE PAST AND WE WILL ONCE AGAIN BE WISHING WE HAD DONE
2 SOMETHING. BLUEFIRE IS DOING SOMETHING. BY PRODUCING ETHANOL
3 FROM WASTE MATERIALS, THEY ARE KEEPING THIS MATERIAL OUT OF
4 THE LANDFILL, AS WELL AS PRODUCING ETHANOL LOCALLY FOR USE IN
5 CALIFORNIA. COMPANIES LIKE BLUEFIRE NEED TO BE ENCOURAGED AND
6 SUPPORTED. WE NEED TO GO FORWARD WITH PROJECTS LIKE THIS AND
7 NOT BE AFRAID TO EXPLORE ALL AVENUES OF ALTERNATIVE ENERGY
8 SOURCES. NOT TO DO SO WOULD BE VERY SHORT SIGHTED. I THEREFORE
9 WOULD LIKE TO RESPECTFULLY REQUEST THAT YOU ALLOW BLUEFIRE TO
10 CONSTRUCT THE BIOREFINERY. THANK YOU.

11

12 **SUP. ANTONOVICH:** THANK YOU. THE LAST THREE ARE LYLE TALBOT,
13 AND NECY SUMAIT, AND GREG MCAFFERTY. JUST GIVE YOUR NAME
14 BEFORE YOU SPEAK, PLEASE.

15

16 **LYLE:** LYLE TALBOT FROM LANCASTER. I'M THE ONE THAT -- I'M THE
17 APPELLANT HERE SEEKING AN E.I.R. WE'RE NOT OPPOSED TO THE
18 PROJECT OR THE PRINCIPLES OF IT. WE SIMPLY WANT AN E.I.R. DONE
19 BECAUSE WE BELIEVE THE COUNTY IS SO ANXIOUS TO GET RID OF --
20 TO COMPLY WITH A.B. 939 THAT THEY'VE BENT OVER BACKWARDS TO
21 ISSUE THIS CONDITIONAL USE PERMIT WITH MITIGATED WHATEVER.
22 SORRY. I'M AT A LOSS FOR WORDS SOMETIMES. THIS GREEN WASTE
23 FACILITY IS THE FIRST TO BE BUILT IN THIS COUNTRY. THERE'S ONE
24 IN CANADA, BUT IT SPENDS MORE ENERGY THAN IT PRODUCES. AND
25 IT'S SAID THAT MOST OF THE INVESTORS ARE SO NERVOUS ABOUT THIS



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1 TECHNOLOGY THEY ALL WANT TO BE THE FIRST TO FINANCE THE SECOND
2 PROPOSAL. SO I SPEAK TO EACH OF YOU IN SUCH AN EXPERIMENTAL
3 UNPROVEN TECHNOLOGY PROPOSED IN ONE OF YOUR DISTRICTS,
4 WOULDN'T YOUR CONSTITUENTS WANT YOU TO MAKE BLUEFIRE COMPANY
5 JUMP THROUGH EVERY POSSIBLE ENVIRONMENTAL HOOP? WOULDN'T YOUR
6 CONSTITUENTS WANT A FULL E.I.R. ON SUCH AN EXPERIMENTAL
7 REFINERY? IT LOOKS TO ME LIKE THERE'S NOT ENOUGH FEED STOCK IN
8 THE ANTELOPE VALLEY. WE ONLY HAVE A SIX-MONTH GROWING SEASON
9 AND OUR BUILDING INDUSTRY HAS GONE IN THE TANK. SO I'M SURE
10 THEY WOULD HAVE TO TRUCK IN THIS MATERIAL FROM OUTSIDE THE
11 AREA, WHICH PRODUCES MORE EXPENSE FOR TRANSPORTATION COSTS AND
12 WE BECOME THE RECIPIENT OF THE DIESEL POLLUTION TO HAUL IT IN.
13 THEY SAY IT'S NOT CONNECTED, BUT IT REALLY IS. BLUEFIRE WILL
14 TAKE EVERYTHING THEY CAN GET FROM WASTE MANAGEMENT NEXT DOOR
15 USING JUST ONE TRUCK, THEY SAY, BUT THEY WILL TAKE SEVERAL
16 HUNDRED TRUCKS TO BRING IN THE FEED STOCK, ESPECIALLY DURING
17 THE WINTER HOURS, OR THE WINTER SEASON. THERE'S A COUPLE OF
18 ACRES OF PLASTIC LINERS PONDS OUT THERE THAT ARE PRESUMABLY
19 OPEN AIR. WE DON'T THINK ANY OF THOSE THOSE, THAT HOLD
20 FUGITIVE WATER. AND WE DON'T THINK THEY'LL EVER LAST IN THE
21 PLASTIC LINING. THEY DO GIVE UP IN TIME. AND THEY'RE SUBJECT
22 TO BURROWING OF PESTS. TRAFFIC ANALYSIS, WELL I THINK MR.
23 ANTONOVICH COVERED THAT PRETTY MUCH. LASTLY, STANFORD RESEARCH
24 JACOBSON STATES THAT ETHANOL PRODUCTION INCREASES NOXIOUS
25 EMISSIONS RATHER THAN LESSENING THEM DUE TO TRANSPORTATION



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1 COSTS AND FUEL EMISSIONS. SO, YES, THIS MIGHT BE A GREAT
2 PROJECT IF IT'S CARRIED OUT RIGHT. AND WE NEED TO SEE THE
3 E.I.R. AND THAT'S WHAT I'M HERE TO ASK FOR TODAY. THANK YOU.

4

5 **SUP. ANTONOVICH:** THANK YOU. YES?

6

7 **GREG MCAFFERTY:** GREG MCAFFERTY, LAND USE CONSULTANT TO
8 BLUEFIRE. I RESPECTFULLY YIELD MY TIME TO NECY SUMAIT.

9

10 **NECY SUMAIT:** I'M NECY SUMAIT, I'M THE EXECUTIVE VICE PRESIDENT
11 AND DIRECTOR OF BLUEFIRE ETHANOL. THANK YOU FOR YOUR TIME THIS
12 MORNING. AND I'M VERY EXCITED TO BE PART OF THIS TEAM THAT
13 WILL BRING A REVOLUTIONARY CHANGE TO THE WAY WE SUPPLY OUR
14 ENERGY FROM OUR INTERNAL WASTE. EARLIER, THERE WAS A QUESTION
15 AS TO THE AMOUNT OF STUDIES THAT WAS DONE ON THIS PROJECT. THE
16 BOARD OF SUPERVISORS AND THE COUNTY STAFF, THE COUNTY STAFF
17 HAS CONDUCTED SEVERAL STUDIES WITH THE APPLICANT, THERE ARE
18 ACTUALLY I THINK A TOTAL OF FOUR VOLUMES. THOSE STUDIES
19 INCLUDE SUCH THINGS AS A CULTURAL ANALYSIS, A BIOLOGICAL
20 SURVEY DURING THE RIGHT TIMES OF THE YEAR, SPRING SURVEYS, ET
21 CETERA. WE DID A VISUAL ANALYSIS, INCLUDING VISUAL SIMULATIONS
22 FROM ALL POINTS OF VIEW. WE ALSO DID A HAZARDOUS RISK ANALYSIS
23 WITH A COMPLETE DISCLOSURE OF ALL THE CHEMICALS TO BE USED AT
24 THE SITE. THERE WAS AN R.M.P. ANALYSIS. THERE WAS A COMPLETE
25 AIR ANALYSIS INCLUDING THE A.Q.M.D. SUBMISSION AND THE AIR



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1 RISK ASSESSMENT. THERE WAS A TRAFFIC STUDY THAT WAS ALSO
2 CONDUCTED FOR THE IMPACTS OF THE PROJECT. AN ODOR ANALYSIS. A
3 LIGHTING ANALYSIS. WE DID 130-PAGE NOISE STUDY THAT WAS
4 CONDUCTED BY AN INDEPENDENT CONTRACTOR. WE ALSO WERE ENGAGED
5 IN SEVERAL DISCUSSIONS AND MEETINGS WITH THE L.A. COUNTY FIRE
6 DEPARTMENT TO MAKE SURE THAT THE APPROPRIATE MITIGATION AND
7 THAT THE PROJECT IS DESIGNED SO THAT IT'S CONSISTENT WITH ALL
8 APPLICABLE LAWS. WE DID A DRAINAGE STUDY. THE DETENTION AND
9 RETENTION BASINS WERE DESIGNED TO MEET THE COUNTY
10 REQUIREMENTS. WE CONSIDERED THE AIR IMPACT ASSOCIATED WITH THE
11 NEW TRAFFIC THAT WOULD BE GENERATED WITH THE FACILITY,
12 APPROXIMATELY ABOUT 50 TRUCKS PER DAY. WE PROVIDED AN ULTIMATE
13 ANALYSIS OF THE LIGNIN BY-PRODUCT. WE DID A WASTE WATER
14 ANALYSIS. AND WE WILL BE SUBMITTING A SURFACE WASTE DISCHARGE
15 TO THE REGIONAL WATER QUALITY CONTROL BOARD. IT WILL BE LINED
16 EVAPORATION PONDS WITH MONITORING WELLS, UP GRADIENT AND DOWN
17 GRADIENTS OF THE PONDS. WE, AS EARLIER SAID, WE CONDUCTED
18 PUBLIC MEETINGS WITH THE RURAL TOWN COUNCILS. FUGITIVE DUST
19 STUDY. ENGINEERING DATA WAS SUBMITTED TOTALING ABOUT FOUR
20 VOLUMES. SO TO SAY THAT THERE WAS NO ENVIRONMENTAL ANALYSIS
21 FOR THIS PROJECT IS I THINK IS AN ERROR. WE SPENT SEVERAL PRE-
22 APPLICATION MEETINGS WITH THE COUNTY TO MAKE SURE THAT WE
23 CONDUCT THE DESIGN OF THE PROJECT SO THAT IT WILL BE
24 CONSISTENT WITH THE REQUIREMENTS THAT AT THE COUNTY, STATE AND



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1 FEDERAL LEVEL. SO I SUBMIT THAT UNLESS THERE ARE ANY OTHER
2 QUESTIONS, I WILL WAIVE THE REST OF MY TIME.

3

4 **SUP. ANTONOVICH:** THANK YOU. LET ME JUST ASK THE REGIONAL
5 PLANNING ONCE AGAIN ON THE ENVIRONMENTAL ISSUES? YOUR
6 RECOMMENDATION?

7

8 **MARK CHILD:** WELL, FIRST OF ALL, WE DIDN'T ENTER THIS WITH A
9 PRECONCEIVED DETERMINATION THAT THIS WOULD BE A MITIGATED
10 NEGATIVE DECLARATION. WE WENT THROUGH AN INITIAL STUDY PROCESS
11 WHICH IDENTIFIES, IT'S A PROCESS WHERE WE ANALYZED THE PROJECT
12 AND WE IDENTIFIED WHERE THE IMPACTS WOULD BE, WHAT POTENTIALLY
13 COULD BE THE AREAS THAT COULD BE MITIGATED. AND AT THE END OF
14 THAT PROCESS, WE CONCLUDED THAT THE PROJECT COULD BE MITIGATED
15 TO A LEVEL OF LESS THAN SIGNIFICANCE. AND WITH THOSE FINDINGS,
16 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIRES THAT WE
17 PREPARE A MITIGATED NEGATIVE DECLARATION. SO IT WAS THE
18 CONCLUSION OF THE ANALYSIS THAT LED US TO THIS DOCUMENT.
19 PROBABLY ONE OF THE MAIN REASONS THAT THIS WAS POSSIBLE IS
20 BECAUSE MUCH OF THE ENVIRONMENTAL INFORMATION, THE TECHNICAL
21 STUDIES HAD BEEN PREPARED UP FRONT. WE HAD THAT INFORMATION
22 AVAILABLE, COULD CIRCULATE IT AND ANALYZE WHAT THE EFFECTS
23 WOULD BE AND HAVE OTHER AGENCIES GIVE US POTENTIAL MITIGATION
24 MEASURES FOR THAT. SO THAT WAS THE REASON THAT WE CAME TO THAT
25 CONCLUSION OF THE MITIGATED NEGATIVE DECLARATIONS.



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1

2 **LARRY HAFETZ:** SUPERVISOR ANTONOVICH, IF I MIGHT INTERJECT FOR
3 A SECOND. I AM JUST GOING TO REITERATE STAFF'S POSITION ON
4 THIS ON THE ENVIRONMENTAL DOCUMENT AND TO ALSO MENTION THAT
5 THERE WAS A LETTER WE RECEIVED THIS MORNING FROM THE DESERT
6 CITIZENS AGAINST POLLUTION, WHICH AGAIN RAISES THE SAME
7 ENVIRONMENTAL ISSUES THAT HAVE BEEN DISCUSSED HERE. AND I WILL
8 CONCUR WITH STAFF THAT AFTER THE INITIAL STUDY, THE M.N.D. WAS
9 AN APPROPRIATE DOCUMENT TO MITIGATE ALL POTENTIAL
10 ENVIRONMENTAL IMPACTS TO LESS THAN A SIGNIFICANT LEVEL.

11

12 **SUP. ANTONOVICH:** OKAY, THANK YOU. THE PROJECT IS LOCATED IN A
13 REMOTE AREA OF THE CITY OF LANCASTER, APPROXIMATELY 50 PARCELS
14 WITHIN 1,000 FEET OF THE LANDFILL AND ALL THESE PARCELS ARE
15 VACANT. THERE ARE NO SENSITIVE RECEPTORS SUCH AS HOUSES OF
16 WORSHIP, SCHOOLS, OR DAYCARE CENTERS IN THE VICINITY OF THE
17 PROJECT. AND THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN
18 DESIGNATION FOR THE SUBJECT PROPERTY CONSISTENT WITH THE
19 ZONING WHICH ALLOWS M-1 USES. THE TECHNICAL STUDIES PREPARED
20 FOR THE PROJECT INCLUDED THE AIR QUALITY BIOLOGY, CULTURAL
21 RESOURCES AND DRAINAGE, ALONG WITH FIRE SAFETY, HAZARDOUS
22 MATERIALS, LIGHTING, NOISE, ODORS, WASTE WATER, TRAFFIC, AND
23 WATER QUALITY. AFTER CONDUCTING A PUBLIC HEARING, THE REGIONAL
24 PLANNING COMMISSION VOTED UNANIMOUSLY TO APPROVE THE C.U.P.
25 THE APPLICANT HAS MADE TWO PRESENTATIONS TO THE ASSOCIATION OF



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1 RURAL TOWN COUNCILS, WHICH ALSO SUPPORTS THE PROJECT. THE
2 PROJECT WILL CONVERT 170 TONS PER DAY OF GREEN WASTE AND WOOD
3 WASTE INTO ETHANOL. THE PROJECT LESSENS PRESSURE ON LANDFILLS
4 BY DIVERTING GREEN WASTE AND WOOD WASTE TO THE BLUEFIRE
5 FACILITY. IT HELPS THE REGION MEET THE A.B.32 MANDATED GOAL OF
6 REDUCING OUR CO2 FOOTPRINT BY 30 PERCENT BY THE YEAR 2020.
7 BENEFITS OF THE PROJECT MEANS LESS LANDFILL DISPOSAL, REDUCED
8 THE TAILPIPE CO2 EMISSIONS, RECOVERABLE MATERIALS PRODUCED
9 FROM WASTE IN A SKILLED LABOR POOL OF 18 EMPLOYEES THAT
10 CONTRIBUTE TO THE LOCAL ECONOMY. IT'S NOT ON OR NEAR AN
11 EARTHQUAKE FAULT. IT'S NOT IN A LANDSLIDE AREA. AND THERE ARE
12 NO ARCHAEOLOGICAL SITES ON OR NEAR THE PROJECT. STAFF HAS
13 CONSULTED WITH SEVERAL OUTSIDE AGENCIES, THE ANTELOPE VALLEY
14 AIR QUALITY MANAGEMENT DISTRICT, THE DEPARTMENT OF FISH AND
15 GAME, DEPARTMENT OF TOXIC SUBSTANCES CONTROL, INTEGRATED WASTE
16 MANAGEMENT BOARD AND THE TOWN REGIONAL WATER QUALITY CONTROL
17 BOARD. STAFF CONSULTED WITH THE COUNTY DEPARTMENTS OF
18 ENVIRONMENTAL HEALTH AND PUBLIC WORKS. TO FURTHER UNDERSTAND
19 LOCAL SENTIMENT ABOUT THE PROJECT, MY STAFF CONDUCTED A
20 COMMUNITY MEETING ON OCTOBER 1ST. IT WAS HELD IN LANCASTER AND
21 PROVIDED A CONVENIENT LOCATION FOR RESIDENTS TO ASK QUESTIONS
22 AND PROVIDE COMMENTS ABOUT THE PROJECT. IN ADVANCE OF THE
23 MEETING, MY OFFICE SENT WRITTEN NOTICES TO PROPERTY OWNERS
24 WITHIN 1,000 FEET OF THE APPLICANT AND THE ASSOCIATION OF THE
25 RURAL TOWN COUNCILS. THE PRESS RELEASE FROM MY OFFICE RESULTED



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1 IN A FRONT PAGE STORY IN THE ANTELOPE VALLEY PRESS ANNOUNCING
2 THAT MEETING. A TRANSCRIPT OF THE COMMUNITY MEETING IS
3 INCLUDED IN THE OFFICIAL PROJECT FILE, COPIES WHICH WERE
4 PROVIDED TO ALL FIVE MEMBERS OF THE BOARD OF SUPERVISORS. AS
5 WAS STATED, COMMENTS FROM ALL OF THESE AGENCIES WERE
6 INCORPORATED INTO CONDITIONS OF APPROVAL FOR THE PROJECT BEING
7 SUPPORTED BY OUR SENIOR SENATOR, DIANE FEINSTEIN, U.S.
8 DEPARTMENT OF ENERGY, GOVERNOR ARNOLD SCHWARZENEGGER, THE
9 CALIFORNIA ENERGY COMMISSION AND THE CALIFORNIA AIR RESOURCES
10 BOARD. THE STATE OF CALIFORNIA BIO-ENERGY INTERAGENCY WORKING
11 GROUP, STATE SENATOR GEORGE RUNNER AND STATE ASSEMBLYMAN
12 CAMERON SMYTH. LOS ANGELES COUNTY SOLID WASTE MANAGEMENT
13 COMMITTEE AND THE INTEGRATED WASTE COMMITTEE TASKFORCE. THE
14 CALIFORNIA RENEWABLE FUELS PARTNERSHIP, THE ASSOCIATION OF
15 RURAL TOWN COUNCILS, WHICH IS COMPOSED OF 13 TOWN COUNCILS
16 FROM THE VARIOUS COMMUNITIES IN THE ANTELOPE VALLEY, THE
17 ANTELOPE ACRES TOWN COUNCIL AND THE ROOSEVELT RURAL TOWN
18 COUNCIL. THERE WAS NOTHING IN THE REGIONAL PLANNING COMMISSION
19 DELIBERATIONS, THE OFFICIAL PROJECT CASE FILE OR THE TESTIMONY
20 TO SUGGEST THAT THE PROJECT IS OTHER THAN ENVIRONMENTAL
21 BENEFIT FOR THE COUNTY. ALTHOUGH THE COMMISSION AND STAFF HAVE
22 DONE A THOROUGH JOB ANALYZING THE PROJECT, MY MOTION WILL
23 DIRECT STAFF TO ADD IN CONDITIONS TO PROHIBIT THE OPERATOR
24 FROM ACCEPTING SEWER SLUDGE, BIO-SOLIDS, HAZARDOUS WASTE,
25 LIQUID WASTE, MEDICAL WASTE, RADIOACTIVE WASTE, AND WASTE



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1 TIRES AS FEED STOCK FOR THE ETHANOL PLANT. AND WE WILL ALSO
2 ASK THAT A COMMUNITY ADVISORY COMMITTEE BE CREATED TO SERVE AS
3 A LIAISON BETWEEN BLUEFIRE AND THE COMMUNITY. I WOULD ALSO
4 LIKE TO THANK SEVERAL OF THE INDIVIDUALS WHO WORKED DILIGENTLY
5 ON THE PROJECT. MARK CHILD AND DEAN EDWARDS AND ADAM TURTELL
6 FROM THE DEPARTMENT OF REGIONAL PLANNING, ANGELO BILOMO AND AL
7 MEDINA FROM THE DEPARTMENT OF ENVIRONMENTAL HEALTH. ROY DAHL
8 AND SCOTT POSTER FROM THE FIRE DEPARTMENT. PAUL ABULA FROM THE
9 DEPARTMENT OF PUBLIC WORKS AND THE BRET BANKS FROM THE
10 ANTELOPE VALLEY'S QUALITY MANAGEMENT DISTRICT. SO I'D LIKE TO
11 MAKE THE FOLLOWING MOTION THAT THE BLUEFIRE ETHANOL PROJECT,
12 BECAUSE IT LESSENS THE PRESSURE ON LANDFILLS BY DIVERTING 170
13 TONS OF GREEN WASTE AND CONVERTING IT TO ETHANOL WILL HELP OUR
14 REGION MEET ITS A.B.32 MANDATED GOAL. THE PROJECT WILL EMPLOY
15 A SKILLED WORK LABOR OF MINIMUM UP TO 18 EMPLOYEES THAT WILL
16 CONTRIBUTE TO THE LOCAL ECONOMY. THAT THE REGIONAL PLANNING
17 COMMISSION UNANIMOUSLY APPROVED THE PROJECT AND THAT IT IS
18 SUPPORTED BY THE ASSOCIATION OF RURAL TOWN COUNCILS THAT THE
19 BOARD MOVE TO CLOSE THE HEARINGS, DENY THE APPEAL, ADOPT THE
20 MITIGATED NEGATIVE DECLARATION THAT WAS RECOMMENDED BY THE
21 REGIONAL PLANNING COMMISSION, INDICATE THE BOARD'S INTENT TO
22 APPROVE C.U.P. NO. R2007-01829-(5) DIRECTING COUNTY COUNSEL
23 AND DIRECTOR OF REGIONAL PLANNING TO MODIFY THE CONDITIONS OF
24 APPROVAL, TO PROHIBIT THE OPERATOR FROM ACCEPTING SEWAGE
25 SLUDGE, BIO-SOLIDS, HAZARDOUS WASTES, LIQUID WASTES, MEDICAL



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1 WASTES, RADIOACTIVE WASTES AND WASTE TIRES AS FEED STOCK FOR
2 THE ETHANOL PLANT AND CREATE A COMMUNITY ADVISORY COMMITTEE TO
3 SERVE AS A LIAISON BETWEEN THE OPERATOR AND THE COMMUNITY.
4 THEY SHALL BE APPOINTED BY THE SUPERVISOR OF THE FIFTH
5 DISTRICT AND MEET BIANNUALLY FOR THE FIRST TWO YEARS AFTER
6 ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PROJECT, AND
7 THEREAFTER AS OFTEN AS DEEMED APPROPRIATE BY THE COMMITTEE.
8 REPRESENTATIVES OF THE OPERATOR OF COUNTY DEPARTMENTS OF
9 ENVIRONMENTAL HEALTH, FIRE, PUBLIC WORKS AND REGIONAL PLANNING
10 SHALL SERVE AS EX OFFICIO MEMBERS OF THE COMMITTEE. DIRECT
11 THAT THE COUNTY COUNSEL PREPARE THE FINDINGS AND CONDITIONS
12 FOR APPROVAL AND BRING IT BACK TO THE BOARD FOR THAT APPROVAL.
13 THAT'S MY MOTION.

14

15 **SUP. BURKE, CHAIR:** MOVED. SECONDED BY YAROSLAVSKY. WITHOUT
16 OBJECTION, SO ORDERED.

17

18 **SUP. ANTONOVICH:** THANK YOU.

19

20 **SUP. BURKE, CHAIR:** SUPERVISOR ANTONOVICH, IT'S BEEN REQUESTED
21 BY A MEMBER THAT ALL FUTURE TESTIMONY ON PLANNING ITEMS BE
22 LIMITED TO TWO MINUTES.

23

24 **SUP. ANTONOVICH:** OKAY, THAT'S FINE.

25



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1 **SUP. BURKE, CHAIR:** IS EVERYONE AGREEABLE TO THAT? TWO MINUTES.

2

3 **SUP. ANTONOVICH:** ITEM NO. 9?

4

5 **CLERK SACHI HAMAI:** ON ITEM NO. 9, THIS IS THE DE NOVO HEARING
6 ON PROJECT NO. R2005-00055-(5), CONDITIONAL USE PERMIT CASE
7 NO. 200500005-(5) AND NEGATIVE DECLARATION RELATING TO
8 PROPERTY LOCATED AT 12800 SIERRA HIGHWAY, BETWEEN SIERRA
9 VALLEJO ROAD AND STEELE AVENUE ADJACENT TO THE UNINCORPORATED
10 COMMUNITIES OF SLEEPY VALLEY AND AGUA DULCE, SOLEDAD ZONED
11 DISTRICT APPLIED FOR BY ROY RAMEY. THERE IS A DEPARTMENT
12 STATEMENT ON THIS MATTER AND CORRESPONDENCE WAS RECEIVED.

13

14 **MARK CHILD:** MARK CHILD, SUPERVISING REGIONAL PLANNER FOR THE
15 DEPARTMENT OF REGIONAL PLANNING. ITEM NO. 9 IS AN APPEAL BY
16 INTERESTED PARTIES OF THE REGIONAL PLANNING COMMISSION'S
17 DECISION OF MARCH 19, 2008 TO APPROVE A CONDITIONAL USE PERMIT
18 FOR A WATER DISTRIBUTION OPERATION AT 12800 SIERRA HIGHWAY IN
19 THE SLEEPY VALLEY COMMUNITY AT THE ANTELOPE VALLEY WHICH IS
20 WITHIN THE A-1-1 LIGHT AGRICULTURE 1-ACRE MINIMUM REQUIRED
21 AREA ZONE AND IS WITHIN THE SOLEDAD ZONE DISTRICT. THE
22 PROPOSED WATER HAULING OPERATION WOULD MAKE USE OF AN EXISTING
23 WELL ON THE PROPERTY AND WOULD USE A 3,800-GALLON WATER TANKER
24 TRUCK TO HAUL APPROXIMATELY 40,000 GALLONS OF WATER PER DAY,
25 WHICH IS APPROXIMATELY THE SIZE OF A SWIMMING POOL. THIS IS



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1 APPROXIMATELY 14 MILLION GALLONS, OR 45-ACRE FEET PER YEAR.
2 THE NUMBER OF TRUCK TRIPS IS PROJECTED TO BE 15 ONE-WAY TRIPS
3 PER DAY YEAR ROUND. THE WELL IS SUPPLIED BY THE NONADJUDICATED
4 MINT CANYON AQUIFER. THE SLEEPY VALLEY WATER COMPANY, WHO IS
5 THE APPELLANT IN THIS CASE, USES THE SAME AQUIFER TO SUPPLY 60
6 RESIDENCES IN THE SLEEPY VALLEY COMMUNITY. THESE WELLS ARE
7 LOCATED, THE SLEEPY VALLEY WELLS, THAT IS, ARE LOCATED
8 APPROXIMATELY A QUARTER MILE DOWNGRADE FROM THE APPLICANT'S
9 WELL. IN THE TIME SINCE THE REGIONAL PLANNING COMMISSION'S
10 DECISION, STAFF HAS REVISED THE ENVIRONMENTAL DOCUMENT TO A
11 MITIGATED NEGATIVE DECLARATION. ORIGINALLY IT HAD BEEN A
12 NEGATIVE DECLARATION WITH OPERATING CONSTRAINTS SUCH AS
13 MAXIMUM DAILY WATER EXTRACTION AND MAINTAINING WATER LEVELS IN
14 THE WELL AT A CERTAIN DEPTH. THESE WERE HANDLED AS CONDITIONS
15 OF APPROVAL. THE REVISED DOCUMENT NOW REQUIRES THAT IN
16 ADDITION TO THE C.U.P. CONDITIONS, A MITIGATED MONITORING
17 PROGRAM REQUIRE COMPLIANCE WITH THE OPERATING CONSTRAINTS.
18 PART OF THE PROCESS TO REVISE THE ENVIRONMENTAL DOCUMENT
19 INCLUDED RE-CIRCULATING THE INFORMATION TO THE STATE
20 CLEARINGHOUSE WHERE IT WAS AVAILABLE FOR REVIEW BY COMMENTING
21 STATE AGENCIES. THE REGIONAL PLANNING COMMISSION CONSIDERED
22 EXTENSIVE WRITTEN AND VERBAL TESTIMONY FROM PROPONENTS AND
23 OPPONENTS OF THE PROPOSED OPERATION. THE APPLICANT'S ENGINEER
24 AND HYDROLOGIST PROVIDED TECHNICAL REPORTS AND IDENTIFIED THE
25 VOLUME AT WHICH WATER COULD BE EXTRACTED FROM THE WELL WITHOUT



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1 AFFECTING OTHER USES OF THE AQUIFER. THE DATA WAS USED TO
2 DEVELOP OPERATING CONDITIONS AND EXTRACTION THRESHOLDS THAT
3 HAVE BEEN INCORPORATED INTO THE PERMIT AS CONDITIONS OF
4 APPROVAL. THOSE IN OPPOSITION TO THE PROJECT REMAIN CONCERNED
5 THAT THE USE OF THE SUBJECT WELL AT THE LEVELS BEING PROPOSED
6 WOULD ENDANGER THE WATER SUPPLY, ENDANGER THEIR WATER SUPPLY.
7 AFTER CONSIDERING THE TESTIMONY, THE COMMISSION WAS SATISFIED
8 THAT THE DOCUMENTATION SUPPLIED BY THE APPLICANT SUFFICIENTLY
9 DEMONSTRATED THAT THE APPLICANT COULD SAFELY OPERATE THE WATER
10 HAULING OPERATION AND NOT AFFECT WATER SUPPLY OF OTHER USERS
11 OF THE AQUIFER WITH THE OPERATING CONDITIONS PROPOSED BY STAFF
12 AT THE TIME. AFTER CONSIDERING THIS INFORMATION, THE
13 COMMISSION VOTED 4-0 TO APPROVE THE CONDITIONAL USE PERMIT.
14 THIS CONCLUDES MY PRESENTATION.

15
16 **SUP. ANTONOVICH:** THANK YOU. ANY OTHER PRESENTATIONS? OKAY.
17 KATHY SLOAN, LAURIE JENKINS, ZE GONZALES AND WILLIAM KONECKO.
18 GIVE YOUR NAME FOR THE RECORD, FIRST.

19
20 **LAURIE JENKINS:** MY NAME IS LAURIE JENKINS AND I'M GOING TO
21 DONATE MY MINUTES TO KATHY'S PRESENTATION.

22
23 **SUP. ANTONOVICH:** OKAY.
24



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1 **KATHY SLOAN:** HI, MY NAME IS KATHY SLOAN. I LIVE IN SLEEPY
2 VALLEY, WHICH IS PART OF THE AQUA DULCE COMMUNITY. THIS IS
3 SLEEPY VALLEY. FOR OVER 80 YEARS, THIS COMMUNITY HAS TAKEN
4 CARE OF ITSELF. IT'S A VERY RURAL AREA WITH SMALL HOMES,
5 FAMILIES. WE TAKE CARE OF EACH OTHER, TAKE CARE OF THEIR
6 HOMES, TAKE CARE OF THEIR WATER RESOURCE. JUST UPSTREAM FROM
7 SLEEPY VALLEY, MR. ROY RAMEY WOULD LIKE TO PUT IN -- HE HAS A
8 WELL. AND HE'D LIKE TO HAUL WATER OUT OF THAT WELL TO SERVE
9 THE GREATER AQUA DULCE, ACTON AREA. THAT'S THE AREA THAT HE'S
10 PROVIDING WATER TO, THE AREA HE'S AFFECTING, SLEEPY VALLEY
11 DIRECTLY DOWNSTREAM. MR. RAMEY'S WELL, AS WELL AS OUR WELLS
12 AND WELLS OF LOCAL INDIVIDUALS ARE ALL IN THE ALLUVIAL DEPOSIT
13 OF THE MINT CANYON CREEK. THIS WATER IS REALLY SURFACE WATER
14 THAT'S FLOWING UNDERGROUND. THE STATE REGARDS IT AS SURFACE
15 WATER, ACTUALLY, NOT GROUND WATER. I'M GOING TO SKIP THROUGH
16 THESE TO MAKE THINGS GO FASTER FOR YOU. HERE'S A REVIEW. PRIOR
17 TO 2004, SLEEPY VALLEY WATER COMPANY NEVER HAD TO BUY WATER.
18 WE WERE NEVER UNABLE TO PROVIDE WATER FOR OUR RESIDENTS. 2003,
19 2004 THERE WAS A DROUGHT YEAR. ONLY ABOUT A QUARTER OF THE
20 AVERAGE RAINFALL, SOMETHING LITTLE MORE THAN THREE INCHES.
21 SOMETIME PRIOR TO 2004, ACTUALLY SOMETIME IN 2002 WE THINK,
22 MR. RAMEY BEGAN PUMPING WATER FROM HIS WELL AT 12800 SIERRA
23 HIGHWAY WITHOUT A PERMIT AND TRUCKING IT OUT OF THE WATERSHED
24 FOR SALE. BY MAY OF 2004, BOTH OF OUR WELLS WERE OUT OF WATER.
25 THEY WERE NOT ABLE TO SUSTAINABLY PUMP. AT THAT TIME, NINE



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1 DIFFERENT PRIVATE WELLS DOWNSTREAM FROM MR. RAMEY WERE ALSO
2 DRY. BY AUGUST OF 2004, MR. RAMEY'S WATER DEPTH WAS 23 FEET
3 BELOW THE SLAB. WHEN MR. RAMEY WAS FORCED TO STOP PUMPING
4 BECAUSE HE DIDN'T HAVE A PERMIT, OUR WELLS, SLEEPY VALLEY
5 WATER COMPANY'S WELLS, WERE ABLE TO SUSTAINABLY PROVIDE WATER
6 WITHIN A COUPLE MONTHS, BY NOVEMBER OF 2004. IN MR. RAMEY'S
7 MITIGATED NEGATIVE DECLARATION, HE NOW STATES THAT THERE IS
8 INDEED A WATER ISSUE, WATER MAY BE INADEQUATE. IT'S VARIABLE
9 FROM YEAR TO YEAR, AND THERE MAY NOT BE ENOUGH FOR A WATER
10 HAULING BUSINESS. THE PROTECTION THAT LOS ANGELES COUNTY IS
11 PROVIDING FOR SLEEPY VALLEY WATER AND ALL THE PRIVATE WELL
12 OWNERS AND FOR THE RIPARIAN COMMUNITY IS THAT MR. RAMEY HAS
13 GOT TO MONITOR HIS WELL. HE'S GOING TO HAVE TO STOP PUMPING AT
14 WELL DEPTHS OF 55 FEET. BUT SLEEPY VALLEY WELLS WERE DRY WHEN
15 MR. RAMEY'S WELL WAS AT 23 FEET. AND WE'VE NEVER BEEN ABLE TO
16 -- NOT BEEN ABLE TO NOT PROVIDE WATER BEFORE THAT. SO WHAT
17 KIND OF PROTECTION IS THIS? IT DOES NOTHING TO PROTECT THE
18 RESIDENTS WHO ARE DEPENDENT ON THAT MINT CANYON AQUIFER. NOW
19 MR. RAMEY CLAIMS THAT HIS WELL HAS NO EFFECT ON SLEEPY
20 VALLEY'S WELLS OR THE SURROUNDING PRIVATE WELLS. ALL OF US
21 WOULD BE THRILLED IF THIS IS TRUE. WE'D BE MORE THAN HAPPY TO
22 HAVE HIM NOT AFFECTING OUR WELLS. HOWEVER, THIS CLAIM HAS NOT
23 BEEN ADEQUATELY SUPPORTED. THE DATA WAS COLLECTED. BUT HE DID
24 A 24-HOUR PUMP TEST. HE DID IT THE END OF THE SUMMER OF 2005.
25 WE HAD HAD A RECORD RAINFALL, 2004-2005 RAINED OVER 30 INCHES.



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1 THERE IS NO DATA FOR DROUGHT CONDITIONS. AND 11 DIFFERENT
2 WELLS DOWN STREAM FROM HIM ALL WENT DRY CORRELATED TO THE
3 PERIOD WHEN MR. RAMEY WAS PUMPING. SO NOBODY WANTS TO DAMAGE
4 MR. RAMEY'S BUSINESS. HE'S BEEN RUNNING A WATER HAULING
5 BUSINESS. HE'S SELLING WATER FROM A CERTIFIED SOURCE. WHETHER
6 OR NOT HE USES THIS WELL, HE CAN CONTINUE TO CONDUCT HIS
7 BUSINESS AND PROVIDE WATER TO HIS CLIENTS. WHAT WE'RE
8 CONCERNED ABOUT IS OUR FAMILIES, OUR HOMES AND OUR INVESTMENT.
9 IF MR. RAMEY'S GOING TO BE ALLOWED HIS C.U.P. AND BE ABLE TO
10 SELL WATER FROM THIS SITE, IT'S THE WELLS DOWNSTREAM FROM HIS
11 WELL THAT NEED TO BE MONITORED. AND IT'S THE WATER --
12 SUCCESSIVE WELLS.

13

14 **LAURIE JENKINS:** I'M DONATING MY MINUTES FOR HER.

15

16 **SUP. BURKE, CHAIR:** ALL RIGHT.

17

18 **KATHY SLOAN:** WHAT NEED TO DETERMINE --

19

20 **SUP. BURKE, CHAIR:** I THINK YOU DID THAT ALREADY. ALL RIGHT.

21 THE NEXT SPEAKER, PLEASE. UNLESS YOU WANT TO TAKE UP WHERE SHE
22 IS. WELL A QUESTION HAS BEEN RAISED.

23



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1 **KATHY SLOAN:** HOW LONG IS OUR TOTAL PRESENTATION WITH ALL OUR
2 SPEAKERS, WE HAVE APPROXIMATELY 10 SPEAKERS WITH WHAT WE
3 THOUGHT WAS A FIVE-MINUTE POWER POINT PRESENTATION.

4

5 **SUP. BURKE, CHAIR:** WE'RE KEEPING TRACK OF THE TIME.

6

7 **KATHY SLOAN:** I'D LIKE TO HAVE AT LEAST ANOTHER MINUTE. I WILL
8 SKIP A BUNCH OF STUFF FOR YOU.

9

10 **SUP. BURKE, CHAIR:** ALL RIGHT. FINISH.

11

12 **KATHY SLOAN:** I'M GOING TO GO RIGHT TO HERE.

13

14 **SUP. BURKE, CHAIR:** PUT IT FOR ANOTHER MINUTE, YES.

15

16 **KATHY SLOAN:** DOWNSTREAM FROM MR. RAMEY'S WELL, WHAT HAS BEEN
17 COMPLETELY IGNORED BY THE NEGATIVE DECLARATION IS THAT THERE
18 IS A RIPARIAN COMMUNITY GOING THROUGH SLEEPY VALLEY. THERE'S
19 WALNUTS, WILLOWS, COTTONWOODS, SYCAMORES. SYCAMORES, THERE,
20 YOU CAN SEE THE WATER FLOWING. OAKS. VARIOUS UNDER STORY
21 SPECIES THAT ARE ALL RIPARIAN. THIS COMMUNITY IS POTENTIALLY
22 ENDANGERED BY THE WATER REMOVAL. IT IS NOT JUST THE CREEK.
23 THERE'S WILDLIFE WHERE THERE IS THE ONLY RELIABLE WATER
24 SOURCE. ALTHOUGH IT'S DRY, MINT CANYON CREEK'S DRY ALL THE
25 TIME. BUT IN SLEEPY VALLEY IT FLOWS ALMOST YEAR ROUND. MOST



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1 YEARS IT FLOWS YEAR ROUND. IT'S BECAUSE THERE'S AN IMPERVIOUS
2 BEDROCK LAYER THAT BRINGS THE WATER TO THE SURFACE. RIGHT NOW
3 I WENT OUT AND MEASURED LAST WEEK, 35 GALLONS A MINUTE. WHEN
4 MR. RAMEY WAS PUMPING, IT WAS DRY. WE HAD A DIE OFF, AND
5 THAT'S BEEN COMPLETELY OVERLOOKED.

6

7 **SUP. BURKE, CHAIR:** OKAY. THE YELLOW LIGHT MEANS YOUR MINUTE IS
8 UP. OKAY, THANK YOU.

9

10 **KATHY SLOAN:** THANK YOU. I'D APPRECIATE IF THERE WAS AN E.I.R.
11 DONE TO TAKE THIS INTO ACCOUNT.

12

13 **SUP. BURKE, CHAIR:** NEXT SPEAKERS, PLEASE COME FORWARD.

14

15 **SUP. ANTONOVICH:** LET ME ALSO CALL UP.

16

17 **SUP. BURKE, CHAIR:** OTHER PEOPLE COMING FORWARD.

18

19 **SUP. ANTONOVICH:** ADELE KONECKO, ALSO LET ME CALL HER UP.

20

21 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME. THERE WILL BE
22 ANOTHER SPEAKER COMING UP BUT YOU CAN CONTINUE.

23

24 **ZE GONZALES:** EXCUSE ME. MY NAME IS ZE GONZALEZ. I LIVED IN THE
25 COMMUNITY OF SLEEPY VALLEY, WHICH IS BASICALLY A SUBURB OF



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1 AGUA DULCE FOR ABOUT 14 YEARS, ACTUALLY 13. WE NEVER HAD A
2 PROBLEM WITH WATER FOR THE FIRST EIGHT YEARS THAT I LIVED
3 THERE OR SEVEN YEARS I LIVED THERE. RIGHT AROUND 2003 I
4 NOTICED THE WATER TRUCKS WERE GOING UP AND DOWN THE STREET.
5 HAVING WORKED FOR THE WATER TRUCK COMPANY, I REALIZED THAT
6 THEY WERE PULLING WATER SOMEPLACE CLOSE TO WHERE I LIVED. I
7 SAW THE WATER SPILLING OUT. SO SURE ENOUGH, I WENT UP THE
8 STREET, WHICH IS ABOUT A QUARTER OF MILE FROM ME. AND I SAW
9 WHERE MR. RAMEY WAS RUNNING THREE DIFFERENT TRUCKS HAULING
10 WATER OUT OF THERE. AS A MATTER OF FACT, IT WAS I, IN 2003 OR
11 2004, I FORGET, THAT BROUGHT IT UP TO THE ATTENTION OF THE
12 SLEEPY WATER DISTRICT. THEY WERE NOT EVEN AWARE WHAT WAS GOING
13 ON. I'M THE ONE THAT STARTED TO TRY TO SHUT DOWN MR. RAMEY
14 BECAUSE I SAW HOW MUCH WATER WAS BEING PULLED OUT OF THERE
15 WITHIN ONE DAY. I WOULD SEE THREE DIFFERENT TRUCKS RUNNING
16 WATER OUT OF THERE FROM AS EARLY AS SIX IN THE MORNING TO
17 SEVEN, EIGHT O'CLOCK AT NIGHT, SEVEN DAYS A WEEK. THE LONG AND
18 THE SHORT OF IT WAS, AS I SAID, I LIVE IN AGUA DULCE, I'M A
19 TWICE ELECTED TOWN COUNCIL PERSON THERE. I WAS GOING TO BRING
20 IT UP TO THE TOWN COUNCIL AT ONE TIME, BUT I FIGURED THERE'S
21 NO WAY THAT THIS IS GOING TO HAPPEN, THAT THIS MAN IS GOING TO
22 TAKE THE WATER FROM 60 DIFFERENT PEOPLE PLUS THE OTHER MEMBERS
23 INCLUDING MYSELF THAT IS NOT PART OF THE SLEEPY WATER
24 DISTRICT. AND SURE ENOUGH, HERE WE ARE HERE NOW TRYING TO
25 APPEAL THIS SO THIS DOESN'T HAPPEN. I SUGGEST THAT IF IN FACT



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1 YOU DO ALLOW THIS TO HAPPEN, THAT MR. RAMEY DOES GET THIS
2 APPROVAL TO DO THIS, ALL YOU'RE GOING TO DO IS TRANSFER THE
3 WATER PROBLEMS FROM ONE COMMUNITY TO ANOTHER. SLEEPY WATER
4 DISTRICT, INCLUDING THE REST OF US THAT ARE WELL OWNERS THERE,
5 WILL BE OUT OF WATER, AND WE'LL HAVE TO BRING WATER IN,
6 WHEREAS THE OTHER PEOPLE WILL BE GETTING OUR WATER. THANK YOU.

7

8 **SUP. BURKE, CHAIR:** STATE YOUR NAME, PLEASE.

9

10 **SUP. ANTONOVICH:** LET ME CALL UP CHRIS YEWDALL AND ANTHONY
11 THORPE.

12

13 **ADELE KONECKO:** MY NAME IS ADELE KONECKO. I LIVE AT 13163
14 CRISCO STREET IN SLEEPY VALLEY. I HAVE LIVED IN SLEEPY VALLEY
15 SINCE 1973. AND WE'VE ALWAYS HAD ENOUGH WATER, EVEN IN TIMES
16 OF SEVERE DROUGHT. THIS CHANGED IN 2004. SLEEPY VALLEY'S
17 WELLS, AND TO OUR KNOWLEDGE ABOUT EIGHT OTHER PRIVATE WELLS
18 SURROUNDING US WENT DRY FOR EIGHT MONTHS. THIS WAS A FIRST FOR
19 US. WE HAD TO SPEND AROUND \$150,000 ON HAULED WATER, DEPLETING
20 OUR RESOURCES. OUR WATER RATES MORE THAN QUADRUPLLED. I AM
21 DISAPPOINTED THAT IN THE LIGHT OF WHAT WE WENT THROUGH AS A
22 COMMUNITY, AN ENVIRONMENTAL IMPACT REPORT WASN'T REQUIRED TO
23 APPROVE THIS PROJECT. I AM DISAPPOINTED THAT THE RESULTS OF
24 ONLY ONE 24-HOUR PUMP TEST WAS CONSIDERED SUFFICIENT EVIDENCE
25 FOR REGIONAL PLANNING TO APPROVE THIS C.U.P. AND COME TO THE



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1 CONCLUSION THAT UPSTREAM PUMPING DOESN'T AFFECT US IN A
2 SIGNIFICANT WAY. WE ARE BEING TOLD THAT WE MUST BELIEVE THAT A
3 COMMERCIAL WATER HAULING FACILITY ACROSS THE STREET FROM US
4 WHOSE WELL IS ALLOWED TO PUMP TO A DEPTH OF 55 FEET WILL NOT
5 AFFECT OUR WELLS. AND IF WE DO GO DRY, WE HAVE TO PROVE IT AT
6 OUR OWN EXPENSE, THAT THERE IS AN EFFECT. WE BELIEVE AT 55
7 FEET THERE WILL BE A SIGNIFICANT IMPACT. AT THAT DEPTH, OUR
8 OWN TWO WELLS CAN HARDLY COMPETE WITH EACH OTHER. CAREFUL WELL
9 TIMING IS REQUIRED BECAUSE OF THE SLOW RECOVERY RATE. THIS
10 LIMIT PUT ON THE C.U.P., WHICH IS SUPPOSED TO BE A PROTECTION
11 FOR SLEEPY VALLEY, IS NOT A PROTECTION FOR US. AND THIS IS ONE
12 OF THE THINGS THAT HAS US GREATLY CONCERNED. I'M SHOCKED THAT
13 40,000 GALLONS OF WATER A DAY IS ALLOWED TO BE PUMPED AND SOLD
14 BY A WELL TWO-TENTHS OF A MILE OF US AGAINST THE OPPOSITION OF
15 THE WHOLE COMMUNITY. MY HOPE IN COMING TO THIS HEARING IS THAT
16 YOU WILL RECONSIDER THIS PROJECT BECAUSE OF ALL THE
17 UNCERTAINTIES ON HOW IT AFFECTS US. AND I ASK THAT AN
18 ENVIRONMENTAL IMPACT REPORT BE REQUIRED. THANK YOU.

19
20 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.

21
22 **CHRIS YEWDALL:** MY NAME IS CHRIS YEWDALL. I'M A RESIDENT OF
23 SLEEPY VALLEY. AND I OBJECT TO THE ISSUANCE OF THIS PERMIT.
24 ALONG WITH THE OTHER LOCAL RESIDENTS, I'VE GOT GOOD REASON TO
25 ASSERT THAT THE EARLIER WATER HAULING ACTIVITIES CONDUCTED BY



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1 THE APPLICANT HAVE HAD A DETRIMENTAL ENVIRONMENTAL IMPACT ON
2 ASPECTS OF OUR COMMUNITIES. PLEASE UNDERSTAND THAT WHAT I'M
3 NOT TALKING ABOUT HERE ARE THINGS THAT I THINK MIGHT HAPPEN.
4 THESE ARE THE THINGS THAT WE'VE SEEN HAPPEN IN OUR COMMUNITY
5 IN 2003, 2004 AS A RESULT OF PREVIOUS USE OF THIS FACILITY.
6 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIRES THE
7 ENVIRONMENTAL IMPACT REPORT WHENEVER A PROJECT MAY HAVE A
8 SIGNIFICANTLY ADVERSE IMPACT ON THE ENVIRONMENT. THAT'S PUBLIC
9 RESOURCE CODE 21151. IF THERE'S SUBSTANTIAL EVIDENCE OF A
10 SIGNIFICANT ENVIRONMENTAL IMPACT TO THE CONTRARY, EVIDENCE TO
11 THE CONTRARY DOES NOT DISPENSE WITH THE NEED FOR THE E.I.R.
12 WHEN IT CAN STILL BE FAIRLY ARGUED THAT IT MAY HAVE AN
13 ENVIRONMENTAL IMPACT. FRIENDS OF B STREET VERSUS THE CITY OF
14 HAYWARD FROM 1980. SECTION 21151 CREATES A LOW THRESHOLD
15 ENVIRONMENT FOR INITIAL ENVIRONMENTAL IMPACT REPORTS, AND IT
16 REFLECTS A PREFERENCE FOR RESOLVING DOUBTS IN FAVOR OF
17 ENVIRONMENTAL REVIEW WHEN THE QUESTION IS WHETHER ANY SUCH
18 REVIEW IS WARRANTED. A SIGNIFICANT ENVIRONMENTAL IMPACT HAS
19 HAPPENED HERE. TREES IN OUR YARD HAVE DIED. TRIES WITH TREE
20 TRUNKS OF 50 TO 70 INCHES. THESE TREES HAVE BEEN THERE FOR
21 DECADES. IN 2004 WE HAD TO GET THEM TOPPED. THEY RECOVERED
22 WHEN THIS PUMPING CEASED. IT'S VERY, VERY IMPORTANT THAT AN
23 ENVIRONMENTAL IMPACT REPORT IS CONDUCTED HERE. THERE ARE
24 SIGNIFICANT IMPACTS. I CONSIDER WHEN MY WELL RUNS DRY, WHEN I
25 CAN NO LONGER PUMP WATER IN A HIGH FIRE RISK AREA, THAT'S



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1 WATER I USE FOR BATHING, DRINKING, FIRE HYDRANTS, THAT IS A
2 SIGNIFICANT IMPACT. I WOULD STRONGLY REQUEST THAT THE BOARD OF
3 SUPERVISORS BEARS IN MIND LOS ANGELES MUNICIPAL CODE 2256090,
4 WHICH GOVERNS THE FINDINGS OF THESE HEARINGS. AND THAT IS THAT
5 APPLICATIONS CAN ONLY BE GRANTED IF THE INFORMATION SUBMITTED
6 BY THE APPLICANT AND/OR PRESENTED AT THIS PUBLIC HEARING
7 SUBSTANTIATES THE FOLLOWING FINDINGS: THAT THE REQUESTED USE
8 OF THE PROPOSED LOCATION WILL NOT ADVERSELY AFFECT THE HEALTH,
9 PEACE, COMFORT OR WELFARE OF THE PERSONS RESIDING OR WORKING
10 THE SURROUNDING AREA, AND WILL NOT BE MATERIALLY DETRIMENTAL
11 TO THE USE, ENJOYMENT, AND VALUATION OF THE PROPERTY OF OTHER
12 PERSONS LOCATED IN THE VICINITY, AND IT WON'T JEOPARDIZE,
13 ENDANGER OR OTHERWISE CONSTITUTE A MENACE TO THE PUBLIC
14 HEALTH, SAFETY, OR GENERAL WELFARE. THANK YOU.

15

16 **SUP. BURKE, CHAIR:** THANK YOU. YES. STATE YOUR NAME, SIR.

17

18 **SUP. ANTONOVICH:** LET ME ASK, CALL ANTHONY THORPE.

19

20 **ANTHONY THORPE:** ANTHONY THORPE, THAT'S MY NAME.

21

22 **SUP. ANTONOVICH:** OKAY. ALSO LINDA HIBBARD. DANIEL O'CONNOR,
23 AND LINDSAY KONECKO. YES, SIR.

24

25 **SUP. BURKE, CHAIR:** STATE YOUR NAME.



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1
2 **ANTHONY THORPE:** FOR THE RECORD, ANTHONY THORPE. SUPERVISOR
3 MOLINA, WHO IS NOT HERE, SUPERVISOR YAROSLAVSKY, SUPERVISOR
4 ANTONOVICH, AND MADAME CHAIR, IT'S AN HONOR AND ACTUALLY A
5 THRILL TO COME BEFORE YOU TODAY. I'M HERE AS A PRIVATE
6 CITIZEN, A RESIDENT OF A TINY COMMUNITY KNOWN AS SLEEPY
7 VALLEY. THE ONLY RELATIONSHIP I HAVE WITH THE SLEEPY VALLEY
8 WATER COMPANY IS THAT EVERY TWO MONTHS I SEND THEM A CHECK, A
9 LARGE CHECK AS IT HAPPENS BECAUSE NEARLY HALF OF MY BILL IS AN
10 ASSESSMENT TO PAY FOR THE DEFENSE OF MY COMMUNITY, MY PROPERTY
11 VALUES AND MY LIFESTYLE FROM THE ONSLAUGHT OF ONE MAN, ROY
12 RAMEY. I MOVED TO SLEEPY VALLEY IN DECEMBER OF 2003. DURING
13 THE FOLLOWING SPRING, WHILE PAYING THE BILLS I SAW OUR WATER
14 BILLS CLIMB AND MADE INQUIRY. IT TURNED OUT THAT OUR WELLS ARE
15 RUNNING DRY. OUR WATER HAD TO BE TRUCKED IN. THE PROBLEM, THE
16 WATER COMPANY SAID, WAS BEING EXACERBATED BY A COMMERCIAL
17 WATER SELLING ENTERPRISE WHICH I WAS TOLD WAS PUMPING
18 THOUSANDS OF GALLONS OF WATER A DAY OUT OF OUR COMMON AQUIFER.
19 THERE WAS A TIME IN THIS COUNTRY, CERTAINLY IN THIS REGION
20 WHEN DISPUTES LIKE THIS WERE RESOLVED RATHER EASILY. WE'VE
21 SEEN IT ALL IN THE MOVIES. THE RANCHERS WOULD RIDE OUT TO THE
22 RANCH AND THE OFFENDING GUY, EXPLAIN TO HIM THAT BECAUSE HE
23 DAMMED THE CREEK AND EVERYONE ELSE'S CATTLE WERE DYING THAT
24 THE RANCHER NEEDED TO UNDAM THE CREEK OR BAD THINGS MIGHT
25 ENSUE. IN THE MOVIES, BAD THINGS USUALLY DID. BUT IN REAL



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1 LIFE, THE ERRANT RANCHER GENERALLY SAW THE ERROR OF HIS WAYS
2 AND DID THE NEIGHBORLY THING, HE UNDAMMED THE CREEK. NO SUCH
3 LUCK WITH MR. RAMEY. THE PROCESS HAS BEGUN THAT HAS LED US TO
4 COME BEFORE YOU TODAY. SIMPLE COURTESY WOULD NOT APPLY.
5 LAWYERS AND SCIENTISTS MUST BE BROUGHT IN. I BELIEVE IN
6 SCIENCE, BUT WHEN A SCIENTIST NAMED PAT BRANDT COMES ON MY TV
7 HALF A DOZEN TIMES A DAY AND TELLS ME HOW WARM AND FUZZY EXXON
8 MOBIL IS AND HOW THEY HAVE MY BEST INTERESTS AT HEART, I CAN
9 ONLY REACT WITH SKEPTICISM, AND I URGE YOU, OUR ESTEEMED
10 OFFICIALS, TO APPLY THE SAME SKEPTICISM TO THE SCIENTIFIC
11 EVIDENCE OFFERED TO YOU BY EITHER PARTY IN THIS DISPUTE. I
12 WOULD SUGGEST THAT YOU CAN SIMPLY APPLY COMMON SENSE TO WHAT
13 YOU'RE ABOUT TO HEAR FROM ME AND HAVE HEARD FROM THESE OTHER
14 WITNESSES. SO PLEASE HEAR THIS. WHEN ROY RAMEY PUMPS THOUSANDS
15 OF GALLONS A DAY FROM HIS WELL UP THE HIGHWAY, OUR WELLS GO
16 DRY. THAT IS A FACT. THAT IS WHAT HAPPENED. IT IS
17 INDISPUTABLE. I HAVE NO PROBLEM WITH SOMEONE MAKING A BUCK.
18 THAT'S WHAT AMERICA IS ALL ABOUT. BUT I DO HAVE A PROBLEM WITH
19 IT WHEN IT COMES AT THE EXPENSE OF OTHERS AND WHEN IT IS AN
20 ENTERPRISE THAT BENEFITS NO ONE BUT A SINGLE INDIVIDUAL. HOW
21 THIS GOT SO FAR WITHOUT AN ENVIRONMENTAL IMPACT STUDY IS
22 BEYOND ME. THIS WATER SELLING ENTERPRISE WILL ERASE --

23

24 **SUP. BURKE, CHAIR:** THANK YOU, SIR.

25



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1 **SUP. ANTONOVICH:** LET ME ALSO CALL UP CHRIS YEWDALL AND WININA
2 PALMA.

3

4 **DANIEL O'CONNOR:** MY NAME IS DANIEL O'CONNOR, I LIVE AT 13045
5 CRISCO STREET IN SLEEPY VALLEY. I AM OPPOSED TO THE ISSUANCE
6 OF THIS C.U.P. FOR THE MOST PART TO THE THREAT TO OUR PROPERTY
7 VALUES. IN THE EVENT WE ARE UNABLE TO MAINTAIN OUR WATER
8 INDEPENDENCE AND HAVE TO RESORT TO BUYING WATER, OUR PROPERTY
9 VALUES WILL BE IRREPARABLY DAMAGED. IT WILL MAKE ANYTHING THAT
10 WE HAVE SUFFERED DUE TO THIS CURRENT CORRECTION IN THE REAL
11 ESTATE MARKET PALE BY COMPARISON. THERE IS ALSO A GENERAL
12 FINANCIAL HARDSHIP. WE HAVE VERY MANY ELDERLY RETIREES ON
13 FIXED INCOMES IN THE COMMUNITY WHO CAN ILL AFFORD THEIR WATER
14 BILLS TRIPLING AND EVEN QUADRUPLING IN THE FACT THAT WE MUST
15 RESORT TO BUYING WATER AND HAVING IT TRUCKED IN. ROY RAMEY'S
16 OFFER TO SELL US WATER IN THE EVENT OUR WELLS FAIL EVEN AT A
17 REDUCED RATE DOES NOTHING TO REASSURE ME IN THIS MATTER. THAT
18 OFFER IN ITSELF WOULD INDICATE TO ME THAT HE IS WELL AWARE
19 THAT HIS PUMPING DOES IN FACT HAVE THE POSSIBILITY OF HARMING
20 US. I'M ALSO WORRIED ABOUT THE MONITOR AND COMPLIANCE. BECAUSE
21 PEOPLE WILL TELL ME THAT THIS C.U.P. INCLUDES PROVISIONS
22 INTENDED TO PROTECT THE COMMUNITY. BUT I WONDER JUST WHO IS
23 GOING TO HAVE THE AUTHORITY TO MONITOR AND FORCE COMPLIANCE OF
24 RAINMAKER WATER ONCE THEY'RE UP AND RUNNING. THIS IS
25 ESPECIALLY OF CONCERN TO ME DUE TO ROY RAMEY'S HISTORY OF



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1 BEING WILLING TO VIOLATE THE LAWS INTENDED TO GOVERN WATER
2 USAGE IN GENERAL AND THIS PARTICULAR PROJECT IN PARTICULAR.
3 HIS CONVICTIONS AND PROBATION VIOLATIONS ARE A MATTER OF THE
4 PUBLIC RECORD. AND I DO NOT THINK THEY SHOULD BE IGNORED
5 WHOLESALE, WHILE NOT FELONIOUS IN NATURE, WHEN DECIDING ABOUT
6 THIS PROJECT. IN CLOSING I WOULD LIKE TO SAY I AGREE WITH MR.
7 RAMEY THAT SUPPLYING WATER TO PEOPLE WHO HAVE NONE IS INDEED A
8 WORTHWHILE ENDEAVOR. HOWEVER, IT SHOULD NOT COME AT THE
9 EXPENSE OF ANY SMALL COMMUNITY WHOLLY DEPENDENT ON A SINGLE
10 SOURCE OF GROUND WATER, SLEEPY VALLEY OR OTHERWISE. SO I URGE
11 YOU TO WEIGH THE POTENTIAL DAMAGE TO AN ENTIRE COMMUNITY
12 AGAINST THE BUSINESS INTERESTS OF A SINGLE INDIVIDUAL IN
13 COMING TO YOUR DECISION, WHICH I HOPE WILL BE TO RESCIND THIS
14 C.U.P.

15

16 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. STATE YOUR NAME,
17 PLEASE.

18

19 **LINDA HIBBARD:** MY NAME IS LINDA HIBBARD AND I'VE BEEN A
20 RESIDENT OF SLEEPY VALLEY FOR OVER 20 YEARS AND I OBJECT TO
21 THE ISSUANCE OF THE CONDITIONAL USE PERMIT. SEVERAL YEARS AGO,
22 I TOO OWNED A WATER DELIVERY BUSINESS SIMILAR TO THE ONE
23 OUTLINED FOR THIS APPLICATION. IT'S MY PERSONAL EXPERIENCE
24 THAT OPERATING SUCH A BUSINESS HAD CREATED BOTH AIR QUALITY
25 AND NOISE POLLUTION. DURING THE MID TO LATE 1990S, WHEN I



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1 OPERATED MY BUSINESS, THE TRUCKS WOULD LEAVE FROM MY HOME IN
2 SLEEPY VALLEY. THE NEIGHBORS COMPLAINED ABOUT THE DUST, NOISE
3 AND DIESEL FUMES PRODUCED BY THE TWO TRUCKS. FOLLOWING AN
4 EVALUATION OF THESE COMPLAINTS, THE LOS ANGELES COUNTY
5 REQUIRED ME TO CEASE USING THE TRUCKS ON MY PROPERTY SINCE
6 THEY WERE IMPACTING THE ENVIRONMENT WITH BOTH AIR AND NOISE
7 POLLUTION. THESE TRUCKS MADE ONLY ONE TRIP PER DAY. CLEARLY
8 LOS ANGELES COUNTY WAS ALREADY CONCERNED ABOUT NOISE POLLUTION
9 AND AIR QUALITY. I'D ALSO LIKE TO RAISE THE APPLICABILITY OF
10 THE SAFE DRINKING WATER STANDARDS PURSUANT TO THE RECENT LOS
11 ANGELES COUNTY CODE ORDINANCE 2005-053. IT CLEARLY STATES ANY
12 APPLICATION FOR APPROVAL OF A NEW OR RECONSTRUCTED WELL TO BE
13 USED AS POTABLE WATER SOURCE MUST MEET THE CHEMICAL AND
14 BACTERIOLOGICAL STANDARDS OF THE S.D.W.S. I RAISE THIS SINCE I
15 UNDERSTAND ONE CONDITION OF THE PERMIT IS THAT MY NEIGHBORS
16 AND I ARE GOING TO BE ABLE TO PURCHASE WATER FROM THE
17 APPLICANT IN THE FUTURE IN THE EVENT THAT THE USE OF OUR WATER
18 SOURCES CAUSES OUR WELLS TO FALL WELL BELOW A GIVEN LEVEL. IT
19 SHOULD CERTAINLY BE A PRECONDITION OF ANY PERMIT THAT A
20 MITIGATION DEVICE SUFFICIENT TO TREAT THE AMOUNT OF POTABLE
21 WATER THAT IS SUPPOSED TO BE HAULED FROM THIS LOCATION IS
22 INSTALLED. THE DEVICE MUST ALSO BE MAINTAINED AND MONITORED
23 FOR CONTINUAL USE. IN THIS MANNER, THE WATER BEING HAULED WILL
24 MEET THE SATISFACTORY REQUIREMENTS FOR DRINKING, CULINARY AND
25 DOMESTIC PURPOSES. FINALLY, I WOULD LIKE TO SUGGEST A MORE



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1 PRAGMATIC SOLUTION BASED UPON MY OWN PERSONAL EXPERIENCE. THE
2 APPLICANT'S ONLY WATER SOURCE IS NOT THE WELL AT THE PROPOSED
3 LOCATION. AS WITH MANY OTHER LOCAL WATER HAULERS, THE
4 APPLICANT COULD SIMPLY SUBMIT A SMALL BOND FOR A WATER METER
5 AND FILL THE TRUCKS AT A MUNICIPAL WATER SOURCE.

6

7 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. YOU KNOW, IF ANYONE
8 HAS SPOKEN BEFORE AND PUTTING IN TWO CARDS DOES NOT MEAN YOU
9 CAN SPEAK THE SECOND TIME. YOU DID NOT GET TO SPEAK? WELL IT
10 WAS BY MISTAKE, I'M SORRY. WERE YOU CALLED TWICE ALSO?

11

12 **SUP. ANTONOVICH:** THELMA O'CONNOR.

13

14 **SUP. BURKE, CHAIR:** HAVE YOU SPOKEN YET?

15

16 **SPEAKER:** NO.

17

18 **SUP. BURKE, CHAIR:** PLEASE COME FORWARD.

19

20 **SUP. ANTONOVICH:** JOHN HENRICHS AND PETER GONZALEZ.

21

22 **SUP. BURKE, CHAIR:** I THOUGHT THE LADY THAT GAVE HER TIME HAD
23 SPOKEN. PLEASE STATE YOUR NAME.

24



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1 **LINDSAY KONECKO:** MY NAME IS LINDSAY KONECKO. AND I WAS GOING
2 TO HAVE CHRIS SPEAK FOR ME. BUT I'LL JUST SAY THAT I AGREE
3 WITH WHAT HE SAID. AND I JUST WANT TO REITERATE, THAT I'M A
4 MEMBER OF THE NEIGHBORHOOD AND I AGREE WITH WHAT THEY'RE
5 SAYING.

6

7 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH.

8

9 **SUP. ANTONOVICH:** WININA PALMA? YES, GIVE YOUR NAME.

10

11 **JOHN HENRICHS:** YES, JOHN HENRICHS. I'M AN ATTORNEY FOR ONE OF
12 THE RESIDENTS OF SLEEPY VALLEY. I CIRCULATED MY POINTS OF VIEW
13 IN LETTERS TO EVERYONE HERE. I DON'T KNOW IF YOU GOT THEM BY
14 FAX OR NOT. BUT HERE'S EXTRA COPIES. IN DEALING WITH WATER
15 RIGHTS, THERE'S A WHOLE BODY OF LAW THAT HAS TO BE CONSIDERED.
16 AND SPECIFICALLY IN THIS CASE THERE'S A CIVIL CODE SECTION
17 1415 THAT REQUIRES THAT THE APPLICANT POST A NOTICE AT THE
18 POINT OF DIVERSION, STATE HIS CLAIM, THE PURPOSE OF WHAT HE'S
19 DOING AND THE MANNER OF DIVERSION. AND MORE IMPORTANTLY, THE
20 KEY HERE IS, THAT NOTICE HAS TO BE RECORDED WITH THE COUNTY
21 RECORDER. I DON'T BELIEVE THAT PROCEDURE WAS FOLLOWED IN THIS
22 INSTANCE. AND YOU MAY WANT TO HAVE COUNTY COUNSEL LOOK INTO
23 THAT. IF THE PERMIT IS GOING TO BE GRANTED, THERE SHOULD BE
24 ANOTHER CONDITION ON IT, ONE THAT SAYS THAT IF THE WELLS DO
25 RUN DRY, THERE HAS TO BE SOME SORT OF OUTLET FOR THE VICTIMS



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1 OF THAT TO GO INTO COURT ON AN EX PARTE MOTION TO GET AN
2 IMMEDIATE SUSPENSION OF THE PUMPING UNTIL THE LEVELS GET BACK
3 TO WHERE THEY WERE. AND THEN IN THE MONITORING PROGRAM,
4 THERE'S NO REAL INCENTIVE THERE TO BE IN COMPLIANCE. HE HAS TO
5 MAINTAIN CERTAIN LEVELS AND PROVIDE CERTAIN REPORTS. BUT
6 THERE'S NO PENALTY OR NO INCENTIVE TO MAKE HIM WANT TO DO THEM
7 ON A TIMELY BASIS. SO WHAT I SUGGEST IS THAT IF HE'S OUT OF
8 COMPLIANCE ON THOSE AREAS, THAT THAT SHOULD BE DEDUCTED FROM
9 WHAT THE DAYS HE IS ALLOWED TO PUMP. FOR EVERY DAY THAT HE
10 DOES NOT SUBMIT THE REPORTS TIMELY, FOR EVERY DAY THAT HE
11 PUMPS TOO MUCH OUT OF THERE, THAT SHOULD BE DEDUCTED OFF OF
12 HIS YEARLY TOTAL OF DAYS ALLOWED. THANK YOU.

13
14 **SUP. BURKE, CHAIR:** YES, PLEASE STATE YOUR NAME.

15
16 **SUP. ANTONOVICH:** LET ME ALSO CALL UP SUSAN TOMLINSON.

17
18 **PETER GONZALEZ:** I ALSO HAVE A MEMO THAT I WANTED TO DISTRIBUTE
19 TO THE BOARD. PETER GONZALEZ WITH SC PLANNERS. I'M HERE IN
20 OPPOSITION TO THE C.U.P. FOR THE SIMPLE FACT THAT THERE IS
21 INSUFFICIENT DATA TO THE TRUE IMPACTS OF THE OPERATIONS FOR
22 THE PROPOSED WATER DISTRIBUTION FACILITY. THE APPLICANT'S
23 APPROVAL RELIES ON MISLEADING CONCLUSIONS OF AN UNDERFLOW
24 ANALYSIS PREPARED BY EARTH RESOURCES. HOWEVER, AN UNDERFLOW
25 ANALYSIS ONLY MEASURES THE VOLUME OF UNDERGROUND WATER



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1 PRESENTLY FLOWING DOWNGRADE INTO THE BASIN. BASICALLY THIS IS
2 A STREAM THAT THE APPLICANT HAS A GOOD FORTUNE OF RUNNING
3 THROUGH HIS PROPERTY. HE BASICALLY PUTS A PIPE DOWN AND HE
4 PUMPS THE WATER OUT. IN A MEMO PREPARED FOR THE SLEEPY VALLEY
5 WATER COMPANY, ENVIRONMENTAL RESOURCE COMPANY, ENTRIX, AN
6 ENVIRONMENTAL RESOURCE COMPANY, IT DISCUSSES THE UNDERFLOW
7 ANALYSIS, WHICH WAS COMMISSIONED BY THE APPLICANT. IT STATES
8 THAT A TYPICAL UNDERFLOW ANALYSIS PROVIDES A BROAD EVOLUTION
9 OF THE TOTAL WATER PASSING THROUGH THE BASIN. THE TOTAL VOLUME
10 OF WATER PASSING THROUGH THE BASIN. A CROSS-SECTIONAL AREA OF
11 THE BASIN IS NOT THE TOTAL VOLUME OF WATER AVAILABLE FOR A
12 GROUND WATER WELL TO PUMP. IN FACT ON THE MOST RECENT FINDINGS
13 FROM STAFF, PAGE 4, ITEM D, IT STATES DIRECTLY. THE
14 HYDROGEOLOGIC INFORMATION PROVIDED BY THE APPLICANT AND
15 REVIEWED BY THE DEPARTMENT OF PUBLIC WORKS GEOTECHNICAL
16 DIVISION DOES NOT ESTABLISH PRECISELY THE VALID YIELD LIMITS
17 OF THE SUBJECT UNDERGROUND AQUIFER TO INSURE AN ADEQUATE WATER
18 SUPPLY FOR OTHER USERS OF THE SAME AQUIFER. BOARD OF
19 SUPERVISORS, I URGE YOU TO CONSIDER THE COMMUNITY AS A WHOLE.
20 WATER IS SUCH A PRECIOUS RESOURCE THAT WE MUST PROTECT IT. I
21 IMPLORE YOU TO CONTINUE THESE PROCEEDINGS UNTIL A FULL E.I.R.
22 CAN BE PREPARED AND THAT THE TRUE SIGNIFICANT IMPACTS ARE
23 ANALYZED. THANK YOU SO MUCH FOR YOUR TIME.

24

25 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME.



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1

2 **SUSAN TOMLINSON:** I'M SUSAN.

3

4 **SUP. BURKE, CHAIR:** WE CAN'T HAVE CLAPPING. YOU CAN RAISE YOUR
5 HANDS LIKE THIS.

6

7 **SUP. ANTONOVICH:** ALSO DENNIS TOMLINSON TO COME UP AND THELMA
8 O'CONNOR.

9

10 **SUSAN TOMLINSON:** I'M SUSAN TOMLINSON AND I LIVE AT 13007
11 SIERRA HIGHWAY. WE BOUGHT THE PROPERTY IN 1994. I OPPOSE THIS
12 BECAUSE FOR ONE THING WE HAD A BIG FIRE NOT TOO LONG AGO. BUT
13 WITH THE AQUIFER BEING DOWN, HOW DO WE FIGHT OUR FIRES? YOU
14 KNOW, AND IT WAS PRETTY SCARY. WE CAN'T ALWAYS -- WE'RE OUT
15 THERE. IT TAKES A WHILE FOR THE FIRE DEPARTMENT TO GET TO US
16 AND EVERYTHING. SO THAT'S ALL I HAVE TO SAY.

17

18 **WININA PALMA:** MY NAME IS WININA PALMER. I JUST CAME TO OPPOSE
19 RAMEY SELLING WATER. THANK YOU.

20

21 **SUP. ANTONOVICH:** THELMA O'CONNOR AND THEN SHANNA VERBIESEN.

22

23 **DENNIS TOMLINSON:** I'M DENNIS TOMLINSON. I LIVE IN THE
24 PRESCRIBED AREA, 13007 SIERRA HIGHWAY, AND I WOULD --

25



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1 **SUP. ANTONOVICH:** THANK YOU. DO YOU WANT TO GIVE YOUR
2 TESTIMONY?

3

4 **DENNIS TOMLINSON:** I'VE BEEN A RESIDENT SINCE 1994. AND IN THE
5 YEAR OF '04, WE RAN COMPLETELY OUT OF WATER. NOT LOW WATER, NO
6 WATER. NO SINKS, TOILETS, NOTHING. I'M HERE BASICALLY TO
7 HOPEFULLY PUT A HOLD ON THIS PARTICULAR ACTION UNTIL WE HAVE
8 SOME FURTHER RESEARCH. BECAUSE THIS IS OUR LIFEBLOOD IN THE
9 COMMUNITY. I LOST TWO MAGNIFICENT 400-YEAR OAK TREES. WE HAVE
10 NO FIRE DEFENSE. WE ARE REALLY LIMITED IN OUR PARTICULAR
11 RESOURCES. I'D AT LEAST LIKE TO JUST REITERATE TO ALL THE
12 PEOPLE WHO HAVE COME BEFORE ME TO JUST TAKE THIS POSITION,
13 BECAUSE IT'S A FRIGHTENING ELEMENT WHEN WE HAVE NO DEFENSE.

14

15 **SUP. ANTONOVICH:** THANK YOU.

16

17 **SHANNA VERBIESEN:** I HAVE TROUBLE GETTING UP. I OWN SOME LAND
18 ON SIERRA HIGHWAY, 86 ACRES AND 14 ACRES. AND MR. RAMEY OWNS 7
19 ACRES WHICH SIT IN BETWEEN MY PROPERTIES. ON HIS 7 ACRES IS
20 THE WATER WELL. THIS WATER WELL, BY THE DEED, IT SAYS THAT I
21 HAVE THE RIGHT TO USE THE WATER WELL, THE LINES, AND ALL THE
22 EQUIPMENT. I HAVE TO READ A LITTLE BIT MORE BECAUSE I CAN'T
23 REMEMBER EVERYTHING. ALSO TO SELL THE WATER IS MY RIGHT, WHICH
24 I HAVE NO INTENTION TO DO BECAUSE PEOPLE FIRST AND MONEY THEN.
25 I LIVE ON THE 40 ACRES WITH THIS OLD HOOD WELL. HOWEVER, IF AT



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1 ANY TIME I WOULD DECIDE TO SELL PART OR ALL OF THIS PROPERTY,
2 I WILL NOT ALLOW ANYONE TO SELL THE WATER, AS THIS JEOPARDIZES
3 THE WATER SUPPLY OF THE COMMUNITY OF SLEEPY VALLEY. I HAVE
4 COPIES OF THE WELL HERE IF ANYBODY WOULD LIKE TO READ THIS.
5 AND ALSO I'D LIKE TO INTERJECT SOMETHING. MR. RAMEY IS NAMING
6 HIS COMPANY RAINMAKER. WHICH IS NOT APPROPRIATE. IT SHOULD
7 READ RAIN TAKER. THANK YOU VERY MUCH.

8

9 **SUP. ANTONOVICH:** THANK YOU.

10

11 **SHANNA VERBIESEN:** OH HERE IS THE STUFF HERE IF YOU WANT TO
12 HAVE THIS.

13

14 **SUP. ANTONOVICH:** A. SHANE RAMEY. JAMES BARRETT AND JOSEPH
15 COTA.

16

17 **A. SHANE RAMEY:** HI, I'M DR. SHANE RAMEY. MY FATHER ROY AND I
18 OWN AND OPERATE RAINMAKER WATER HAULERS THE WATER HAULING
19 BUSINESS IN QUESTION HERE TODAY. AND OF COURSE WE URGE THE
20 BOARD TO GRANT A CONDITIONAL USE PERMIT AS DID THE REGIONAL
21 PLANNING COMMISSION ON A UNANIMOUS VOTE OF 4-0 BACK ON MARCH
22 19TH. IT IS DIFFICULT FOR ME TO SIT HERE AND HEAR MY FATHER
23 VILIFIED IN THE MANNER IN WHICH HE HAS BEEN TODAY. I THINK
24 IT'S OBVIOUS THAT WATER IS A VERY IMPORTANT ISSUE AND AN
25 IMPORTANT COMMODITY IN SOME AREAS OF THE LOS ANGELES COUNTY,



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1 LIKE IN AQUA DULCE. AND ALL WE HAVE TRIED TO DO WITH OUR WATER
2 HAULING BUSINESS IS SUPPLY A NEEDED ASSET TO THOSE IN THE
3 COMMUNITY THAT HAVE NOT, AND THAT IS TO TAKE WATER FROM A WELL
4 PRODUCING WATER SOURCE AND GIVE IT TO THOSE THAT NEED IT. AND
5 OF COURSE WE DO NOT INTEND TO ROB PETER TO PAY PAUL. IT HAS
6 NEVER BEEN OUR INTENTION TO HARM ANYONE ELSE'S WATER SUPPLY IN
7 ANY MANNER. AND THAT IS WHY WE WENT THROUGH SIGNIFICANT
8 SCIENTIFIC TESTING OVER THE LAST FOUR YEARS TO ENSURE THAT
9 USING OUR WATER SOURCE AT THE QUANTITY PROPOSED DOES NOT HAVE
10 ANY NEGATIVE IMPACT ON THE SURROUNDING COMMUNITY, AT LEAST NOT
11 SLEEPY VALLEY. SO I AM A SCIENTIST MYSELF. I HAVE A PHD IN
12 BIOLOGY, SO I UNDERSTAND THE IMPORTANCE AND SIGNIFICANCE OF
13 SCIENTIFIC TESTING. I'M HERE TODAY WITH MY COUNSEL, MR. JAMES
14 BARRETT. AND OUR LEAD GEOLOGIST, MR. JOE COTA, WHO WILL ALSO
15 BE ABLE TO TESTIFY AS TO THE VALIDITY OF THE FINDINGS OF NOT
16 ONLY OUR FINDINGS BUT ALSO THE FINDINGS OF THE REGIONAL
17 PLANNING COMMISSION AND THE STATE WATER RESOURCES CONTROL
18 BOARD DIVISION OF WATER RIGHTS, AS WELL, WHO ALL CONCUR THAT
19 USING THE AMOUNT OF WATER AT THE AMOUNT PROPOSED WILL NOT HAVE
20 ANY NEGATIVE IMPACT ON THE SURROUNDING COMMUNITY. THANK YOU.

21

22 **JAMES BARRETT:** GOOD AFTERNOON, MADAME CHAIR, BOARD MEMBERS,
23 SUPERVISOR ANTONOVICH. MY NAME IS JAMES BARRETT. I'M THE
24 ATTORNEY FOR RAINMAKER. AND JUST BRIEFLY I WOULD LIKE TO SAY
25 THAT IT'S UNFORTUNATE THAT THE OPPOSITION TODAY HAS CHOSEN TO



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1 MAKE THIS A CHARACTER ISSUE WHEN THIS IS NOT A CHARACTER
2 ISSUE. THIS IS A SCIENTIFIC ISSUE. SCIENCE IS WHAT IS DRIVING
3 OUR POSITION. REGIONAL PLANNING SPENT THREE YEARS STUDYING
4 THIS APPLICATION. REGIONAL PLANNING, IN CONJUNCTION WITH
5 MULTIPLE DEPARTMENTS FROM THE COUNTY OF LOS ANGELES AND EVEN
6 THE STATE OF CALIFORNIA HAVE REVIEWED THE FINDINGS THAT HAVE
7 BEEN SUBMITTED ON BEHALF OF RAINMAKER. THOSE FINDINGS SAY ONE
8 THING: AND THEY'RE RECORDED IN THE 52 CONDITIONS THAT WERE
9 PART OF THE GRANT OF THE C.U.P. AT REGIONAL PLANNING. THOSE 52
10 CONDITIONS WERE THE RESULT OF THE SCIENTIFIC EVIDENCE AND THE
11 TESTIMONY PROVIDED BY THE OPPONENT, SLEEPY VALLEY. WHEN WE
12 LOOK AT AN ISSUE AS IMPORTANT AS WATER, OF COURSE WE WANT TO
13 DEAL WITH THE ANECDOTAL STORIES THAT MAY GO ALONG WITH THE
14 CONCERN OF THE COMMUNITY. BUT YOU HAVE TO LOOK AT THE
15 SCIENTIFIC DATA THAT UNDERLINES THE REQUEST, REGIONAL
16 PLANNING'S DECISION, SENIOR PLANNING STAFF SPENDING LONG HOURS
17 REVIEWING THIS DATA. AND WE'RE HERE BEFORE YOU TODAY NOT TO
18 MAKE QUESTION ABOUT WHY THE OPPONENTS FEEL THAT THERE'S A
19 PROBLEM. WE'RE HERE TODAY FOR THIS BOARD TO RECOGNIZE WHAT
20 THIS COUNTY HAS GONE THROUGH TO GET TO TODAY. AND THAT IS
21 EXTENSIVE REVIEW, EXTENSIVE COMPLIANCE BY RAINMAKER. WE WORKED
22 FOR ANOTHER SEVEN MONTHS FROM MARCH TO HAVE A MITIGATED
23 NEGATIVE DECLARATION AT THE REQUEST OF COUNTY COUNCIL TO
24 ENSURE OUR COMPLIANCE. AND WE HAVE. AND THAT'S ON THE TABLE
25 TODAY. THANK YOU.



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1

2 **SUP. BURKE, CHAIR:** THANK YOU.

3

4 **JOE COTA:** JOE COTA WITH EARTH RESOURCES. I'VE WORKED ON THIS
5 PROJECT FOR ABOUT THREE YEARS NOW. AND I CAN TELL YOU THAT WE
6 HAVE ANALYZED THIS AS AN ENTIRE BASIN-WIDE PROJECT, INCLUDING
7 ALL OF THE WELLS AND ALL OF THE RESIDENTS AND INCLUDING FUTURE
8 DEVELOPMENT IN THE AREA BASED ON THE COUNTY PARCEL ASSESSOR'S
9 DATA. THERE IS ENOUGH WATER FOR EVERYBODY, AS SHARED. SLEEPY
10 VALLEY, HAS EXPERIENCED IN 1964 -- OR RATHER IN 1962 AND 2004
11 MORE RECENTLY A SHORTAGE OF WATER THAT WE BELIEVE, BECAUSE
12 THEY DID SOME PUMP TESTING BACK IN '62 THAT SHOWED THAT THEY
13 WERE ACTUALLY PRODUCING OUT OF THE BEDROCK AS WELL AS THE
14 ALLUVIUM. AND WHAT HAPPENED THEN, WE SUSPECT HAPPENED IN 2004
15 IS THAT WE HAD A LOCAL DRAWDOWN BECAUSE THEY HAVE A SMALL
16 STORAGE CAPACITY. IN THEIR APPLICATION, APRIL THIS IS A
17 PROBLEM THEY RECOGNIZE, THEIR WELLS ARE 80 YEARS OLD. THEY
18 HAVE A 12,000 AND A 24,000 GALLON TANK UP ON THE HILL. AND
19 THEIR APPLICATION TO THE STATE IN THEIR WATER RIGHTS SAYS THAT
20 THEY'RE GOING TO REPLACE THOSE WITH TWO 100,000 GALLON TANKS,
21 WHICH WOULD HELP. BECAUSE WHAT THEY DO IS THEY PUMP THE HECK
22 OUT OF IT WHEN IT'S NEEDED. AND THAT'S WHY ZE GONZALES' WELL
23 WENT DRY BECAUSE HE'S IN THE BEDROCK. BUT I UNDERSTAND SINCE
24 ZE HAS DRILLED A NEW WELL THAT HE SHARES WITH HIS NEIGHBORS,
25 THEY'VE HAD NO ISSUES WITH THAT WELL. BUT THE OLD WELL WAS



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1 RIGHT IN THE INFLUENCE. ONE OF MY CLIENTS IS THE CHURCH DOWN
2 THE STREET. THEY'RE THE SECOND LARGEST WATER USER IN THE AREA,
3 AND THEY'RE BELOW THE SLEEPY VALLEY WELLS. 2004 THEY HAD NO
4 PROBLEM WITH THEIR WELL BECAUSE THEY WERE OUT OF THE INFLUENCE
5 OF WHERE SLEEPY VALLEY OVER DRAFTED. WE'VE DONE UNDERFLOW
6 ANALYSIS. WE'VE DONE COMPLETE ANALYSIS OF ALL THE WATER USE IN
7 THE BASIN. IT'S CALLED A WATER BUDGET. AND TO SAY THAT WE
8 HAVEN'T DONE ALL THAT IS RIDICULOUS. IT'S BEEN REVIEWED BY THE
9 STATE AND THE COUNTY. ANY QUESTIONS?

10

11 **SUP. YAROSLAVSKY:** YES. I HAVE ONE QUESTION. IS IT YOUR
12 TESTIMONY, THEN, THAT THE PERCEPTION THAT MANY OF THESE FOLKS
13 WHO CAME UP HERE AND TESTIFIED A LITTLE WHILE AGO THAT WHEN HE
14 STARTED DRILLING, THEY RAN OUT OF WATER, AND WHEN HE STOPPED
15 DRILLING, STOPPED PUMPING, THEY HAD WATER, THAT THEY ARE JUST
16 -- THAT'S NOT THE REASON, THAT HIS PUMPING HAD NOTHING TO DO
17 WITH WHY THEY EXPERIENCED A SHORTAGE OR ELIMINATION OF THEIR
18 WATER?

19

20 **JOE COTA:** YES, I BELIEVE IT'S MORE.

21

22 **SUP. YAROSLAVSKY:** JUST A COINCIDENCE?

23

24 **JOE COTA:** NOT JUST A COINCIDENCE. IT WAS A DROUGHT YEAR. AND
25 THEY PUMP AT 29 GALLONS A MINUTE. THEY DID A PUMP TEST ABOUT A



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1 YEAR AGO, AND THEY RAN THAT THING AT ABOUT, I BELIEVE 26 TO 29
2 GALLONS A MINUTE. AND BASED ON THEIR WATER CONSUMPTION, THEY
3 SHOULD BE USING ABOUT 700 GALLONS A DAY PER PERSON. AND WITH
4 60 HOMES IT'S ABOUT 49,000 GALLONS A DAY OF WATER. AND THEIR
5 PUMP, PUMPING 24/7, BARELY MAKES THAT. IT FALLS SHORT OF THAT
6 AMOUNT. AND SO THEY HAVE TO KEEP PUMPING AND PUMPING AND
7 PUMPING BECAUSE THEY DIDN'T STORE ANY FROM BEFORE.

8

9 **SUP. YAROSLAVSKY:** YEAH, BUT THEY'RE SAYING THAT THEY DIDN'T
10 RUN OUT OF WATER WHEN THEY WEREN'T PUMPING. AND THEY DID RUN
11 OUT OF WATER WHEN THEY WERE PUMPING. I THINK THAT'S WHAT
12 THEY'VE SAID, IF I HAVE THAT RIGHT. I'M JUST TRYING TO
13 UNDERSTAND WHETHER THERE'S SOME OTHER --

14

15 **JOE COTA:** WE KNOW FOR SURE THAT THE CHURCH, WHOSE WELLS ARE
16 SEVERAL HUNDRED FEET DOWN FARTHER THAN SLEEPY VALLEY'S WELLS,
17 DID NOT RUN OUT OF WATER IN 2000. AND WE KNOW THAT THE STREAM
18 DIDN'T STOP FLOWING.

19

20 **SUP. YAROSLAVSKY:** BUT I DON'T THINK THE CHURCH TESTIFIED TODAY
21 UNLESS I MISSED THEM.

22

23 **JOE COTA:** I CAN TELL YOU THAT WE RECENTLY DID A PUMP TEST FOR
24 THEM.

25



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1 **SUP. YAROSLAVSKY:** BUT WE HAD A DOZEN OR MORE PEOPLE, COUPLE
2 DOZEN PEOPLE, WHO DID TESTIFY. AND THOSE ARE THE PEOPLE I'M
3 INTERESTED IN UNDERSTANDING. AND I'M SURE THEY'RE INTERESTED
4 MORE THAN I AM IN UNDERSTANDING WHAT THE CONNECTION IS. IF
5 IT'S A COINCIDENCE, THEN CAN YOU PROVE THAT IT'S A
6 COINCIDENCE? IF IT'S NOT A COINCIDENCE, THEN WE HAVE ANOTHER
7 ISSUE. BUT YOU'RE MAKING -- IT'S VERY INTERESTING. YOU'RE
8 MAKING THESE -- YOU'RE GIVING THESE EXPLANATIONS, BUT THAT MAY
9 HAVE NOTHING TO DO WITH -- IT DOESN'T EXPLAIN TO ME WHY IN
10 2004 IF THAT'S THE YEAR YOU STARTED PUMPING THEY RAN OUT OF
11 WATER. WHEN YOU STOPPED PUMPING, THEY HAD WATER AGAIN. THAT'S
12 ALL.

13

14 **JOE COTA:** WELL, YES, SIR. THESE ARE ADDRESSED IN OUR REPORT.
15 AND THEY'RE THE SAME QUESTIONS THAT THE STATE GEOLOGIST FOR
16 DIVISIONAL WATER RIGHTS ASKED. AND WE ADEQUATELY ANSWERED AND
17 ADDRESSED THAT TO HIS SATISFACTION AS WELL AS THE COUNTY
18 GEOLOGIST'S SATISFACTION. AND THOSE ARE IN THE -- THE MATTER
19 IS THAT DOWN -- THE PROBLEM HAPPENED AT SLEEPY VALLEY'S WELLS.
20 THEY'RE 80-YEAR-OLD WELLS. THEY HAVE INADEQUATE STORAGE
21 CAPACITY BY THEIR OWN APPLICATION. THERE WAS NO WATER SHORTAGE
22 ABOVE OR BELOW SLEEPY VALLEY. WE DO KNOW THAT FOR SURE. WE
23 ACTUALLY HAVE IN 2004 WATER RECORDS FROM THE COUNTY'S DATA
24 THAT'S IN OUR REPORT THAT SHOW THAT THERE WAS STILL WATER IN
25 TWO WELLS THAT HAVE DAILY WATER LEVEL DATA. I THINK IT'S DAILY



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1 OR MONTHLY. THEY'RE RIGHT OFF THE COUNTY'S HYDROLOGY DIVISION
2 IN ALHAMBRA RIGHT OUT OF THEIR RECORDS.

3

4 **SUP. YAROSLAVSKY:** SO ARE YOU SAYING THAT YOUR PUMPING, YOUR
5 COMPANY'S PUMPING OR YOUR CLIENT'S PUMPING HAS ABSOLUTELY
6 NOTHING TO DO WITH WHY THERE WAS A DIMINUTION OF WATER FOR THE
7 REST OF THE NEIGHBORHOOD?

8

9 **JOE COTA:** I BELIEVE THAT'S THE CASE. AND MORE IMPORTANTLY, I
10 BELIEVE THAT WITH THE SAFEGUARDS IN PLACE, WE'RE GOING TO STOP
11 PUMPING AT A CERTAIN LEVEL WHEN THERE'S PLENTY OF WATER STILL
12 FLOWING THROUGH THE AQUIFER DOWN TO THEM. AND WE HAVE MADE A
13 SAFE LEVEL.

14

15 **SUP. YAROSLAVSKY:** YOU ANSWERED MY QUESTION. NOW I ASKED MIKE
16 THIS QUESTION. IF YOU DON'T MIND I'LL JUST ASK IT NOW BECAUSE
17 IT WILL HELP ME UNDERSTAND THE CONTEXT OF THIS. I'M NOT
18 FAMILIAR WITH THIS WELL SITUATION. WHEN THEY PUMP OUT OF A
19 WELL AND I HAVE A HOUSE NEARBY, LET'S FOR THE SAKE OF
20 ARGUMENT, JUST FOR THE SAKE OF ARGUMENT SAY THERE IS A
21 CONNECTION BETWEEN THEIR PUMPING AND THE LOSS OF WATER FOR A
22 PROPERTY OWNER NEARBY, ARE THEY PUMPING OUT OF -- WHEN YOU
23 PUMP OUT OF A WELL, WHEN MY NEIGHBOR PUMPS OUT OF A WELL, DOES
24 IT AFFECT MY WATER SUPPLY? ARE THERE TWO SEPARATE WELLS? DO I
25 HAVE A WELL AND HE HAS A WELL? IS IT ALL ONE WELL? DO THEY



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1 SHARE WATER? DOES THE WATER MIGRATE BETWEEN WELLS? HOW DOES
2 THIS WORK? BECAUSE WHO OWNS THIS WATER? I GUESS IS MY
3 QUESTION.

4

5 **SPEAKER:** TO A CERTAIN EXTENT IT WOULD DEPEND ON HOW MUCH WATER
6 IS BEING PUMPED OUT. BUT WHAT WE HAVE TO UNDERSTAND ABOUT THIS
7 PARTICULAR BASIN IS THAT THE WATER IS UNDER FLOWING THROUGH
8 INTO THIS SANTA CLARITA VALLEY. SO UNLESS ALL OF THE WATER IS
9 WITHDRAWN AND NO WATER IS FLOWING OUT OF THE BASIN, THEN THERE
10 IS STILL WATER SUFFICIENT FOR PEOPLES' USE.

11

12 **SUP. YAROSLAVSKY:** SO THE WATER IS FLOWING FROM UPSTREAM
13 DOWNSTREAM AND IT PASSES UNDERNEATH THIS NEIGHBORHOOD?

14

15 **SPEAKER:** THAT'S CORRECT.

16

17 **SUP. YAROSLAVSKY:** THIS VALLEY? AND WHEN THE PEOPLE TESTIFIED
18 AND THESE FOLKS PUMP WATER OUT OF THEIR WELLS, THEY'RE PUMPING
19 WATER THAT IS MIGRATING FROM UPSTREAM DOWN TOWARDS SANTA
20 CLARITA?

21

22 **SPEAKER:** THAT'S CORRECT.

23

24 **SUP. YAROSLAVSKY:** AND SO TECHNICALLY OR LEGALLY WHO HAS THE
25 WATER RIGHTS TO THAT? ANYBODY THAT CAN GET THEIR PUMP ON IT?



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1

2 **SPEAKER:** THAT I DON'T KNOW. I'M NOT INVOLVED IN WATER RIGHTS.

3

4 **SUP. YAROSLAVSKY:** DOES ANYBODY KNOW? IS THERE A WATER RIGHTS
5 ISSUE? WHO DOES?

6

7 **SPEAKER:** SUPERVISOR, THIS IS AN UNADJUDICATED AREA, SO I DON'T
8 KNOW THAT IT'S BEEN ADJUDICATED. I BELIEVE JUST THE OVER
9 LAYERS, I MEAN IT'S BASIC WATER RIGHTS PRINCIPLES. I DON'T
10 THINK THAT THIS WOULD BE IN VIOLATION OF ANY WATER RIGHTS IF
11 THIS PROJECT WERE APPROVED, HOWEVER.

12

13 **SUP. YAROSLAVSKY:** OKAY, THANK YOU.

14

15 **SUP. ANTONOVICH:** COULD YOU REPLY TO THE COMMENTS THAT HAVE
16 BEEN RAISED DURING THE PUBLIC TESTIMONY? COMMENT ON SOME OF
17 THE COMMENTS THAT WERE BEING RAISED.

18

19 **MARK CHILD:** WELL, THERE WERE A FEW COMMENTS I THINK THAT CAN
20 BE CLARIFIED THROUGH THE AGREEMENT THAT HAS -- THE MITIGATION
21 MONITORING AGREEMENT THAT THE APPLICANT HAS BEEN ASKED TO
22 AGREE TO AS PART OF THE APPROVAL. IN THIS AGREEMENT, THE
23 APPLICANT WOULD HAVE TO CEASE PUMPING IF AFTER ONE OF THE
24 CONCERNS THAT THE OPPOSITION HAD WAS IF THE APPLICANT DIDN'T
25 COMPLY WITH ANY OF THE MONITORING REQUIREMENTS, THERE WAS NO



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1 DISINCENTIVE, THERE WAS NO INCENTIVE FOR THEM TO COMPLY. THERE
2 IS ACTUALLY A REQUIREMENT IN THERE THAT THEY PROVIDE THESE
3 DOCUMENTS OR EVIDENCE OF THE MEASUREMENTS WITHIN 10 DAYS. IF
4 THEY FAIL TO DO THAT, THEY WOULD HAVE TO CEASE PUMPING
5 REGARDLESS OF WHAT THE SITUATION WAS. SO IF THE WELLS -- IF
6 THE RESULTS FROM THE WELL TESTING SHOWED THAT THE WATER LEVEL
7 WAS BELOW THE THRESHOLD, THEY WOULD NEED TO CEASE PUMPING AT
8 THAT POINT. IF IT TURNS OUT THAT THEY DON'T PROVIDE THE
9 DOCUMENTS TO US WITHIN A TIMELY MANNER, WHICH IS 10 DAYS AFTER
10 THE REQUIRED DATE, THEN THEY WOULD ALSO HAVE TO CEASE PUMPING
11 REGARDLESS OF THE WATER LEVEL DEPTH. THAT WAS ONE OF THE
12 CONCERNS.

13

14 **SUP. ANTONOVICH:** THAT WAS ONE OF THE CONDITIONS THAT WAS POSED
15 AT THE REGIONAL PLANNING COMMISSION.

16

17 **MARK CHILD:** THAT WAS ACTUALLY -- THAT'S NOW A CONDITION IN THE
18 MITIGATION MONITORING PROGRAM. AND IT WOULD BE A CONDITION IN
19 THE C.U.P., AS WELL. SO THERE WILL BE ONGOING MONITORING OF
20 THAT CONDITION THROUGH THE MITIGATION MONITORING PROGRAM AND
21 THROUGH THE C.U.P. CONDITION. AND THE C.U.P., AS IT'S PROPOSED
22 RIGHT NOW HAS A LIFE OF FIVE YEARS PLUS THE ABILITY FOR THE
23 PLANNING COMMISSION, EXCUSE ME, THE STAFF OF THE PLANNING
24 COMMISSION, TO APPROVE A FIVE-YEAR EXTENSION IF AT THAT TIME
25 THERE IS NO EVIDENCE THAT THERE HAS BEEN ANY DETRIMENTAL



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1 EFFECTS TO THE SLEEPY VALLEY COMMUNITY OR ANY OF THE
2 CONDITIONS OF THE GRANT HAVE BEEN VIOLATED. SO IT'S FIVE YEARS
3 PLUS ESSENTIALLY ANOTHER FIVE YEARS UP TO THE DIRECTOR.

4

5 **SPEAKER:** SUPERVISOR, IF I COULD ADD A POINT ON THE M.N.D.,
6 BECAUSE THE ENVIRONMENTAL REVIEW, WHICH WAS A BIG TOPIC OF THE
7 TESTIMONY TODAY. I CONCUR WITH STAFF AGAIN. AS IN THE PRIOR
8 PROJECT, I THINK THE STAFF DID AN INITIAL STUDY, CAME BACK
9 WITH A MITIGATION M.N.D. WITH APPROPRIATE MITIGATION MEASURES
10 THAT WOULD BRING ANY POTENTIAL ENVIRONMENTAL IMPACTS TO LESS
11 THAN SIGNIFICANT. NOW, IT IS TRUE, I WILL AGREE WITH SOME OF
12 THE TESTIMONY, THAT UNDER C.E.Q.A., COURTS APPLY A RELATIVELY
13 LENIENT STANDARD AS TO WHETHER AN E.I.R. IS PROVIDED. HOWEVER,
14 THEY DON'T JUST LOOK AT ALLEGATIONS. A COURT WOULD HAVE TO
15 BASE ITS CONCLUSIONS ON ACTUAL EVIDENCE. AND UPON REVIEW OF
16 THE RECORD, I CONCUR WITH STAFF THAT THERE REALLY, OTHER THAN
17 CLAIMS THAT THERE'S IMPACTS TO SLEEPY VALLEY, I DON'T BELIEVE
18 THERE WAS EVIDENCE TO SUPPORT THAT TO OVERTURN THE M.N.D.

19

20 **SUP. ANTONOVICH:** BUT THE COUNTY SHOULD HAVE THE ABILITY TO
21 CEASE THE OPERATION REGARDLESS OF A TIME LIMIT IF THEY IMPACT
22 THE WATER SUPPLY, SHOULD THEY NOT?

23

24 **MARK CHILD:** THAT IS ONE OF THE CONDITIONS THAT'S WITHIN THE
25 GRANT. THAT IF THERE'S EVIDENCE -- IF THE SLEEPY VALLEY



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1 COMMUNITY CAN PROVIDE EVIDENCE THAT THEIR WELLS ARE BEING
2 AFFECTED BY THE OPERATION OF RAINMAKER, THAT THE GRANT TERMS
3 WOULD ALLOW US TO REQUIRE THAT THEY CEASE PUMPING.

4

5 **SUP. ANTONOVICH:** WITHOUT A TIME LIMIT.

6

7 **MARK CHILD:** WITHOUT A TIME LIMIT. BUT THE SLEEPY VALLEY WATER
8 COMPANY OR WHOEVER IS MAKING THAT ALLEGATION WOULD NEED TO
9 PROVIDE EVIDENCE TO US AND THAT WOULD NEED TO BE REVIEWED BY
10 OUR DEPARTMENT.

11

12 **SUP. ANTONOVICH:** BUT OUR OWN INSPECTORS WOULD ALSO REVEAL THAT
13 INFORMATION, RIGHT?

14

15 **MARK CHILD:** WELL, THE INSPECTION -- THE ZONING ENFORCEMENT
16 INSPECTION WOULD REVEAL COMPLIANCE WITH THE TERMS OF THE
17 CONDITIONAL USE PERMIT. SOME OF THE OTHER COMPLIANCE WITH
18 MONITORING WE WOULD ALSO REFER TO PUBLIC WORKS FOR COMPLIANCE.

19

20 **SUP. ANTONOVICH:** RIGHT. BUT I MEAN PUBLIC WORKS IS GOING TO BE
21 INVOLVED IN MONITORING -- I MEAN THE COUNTY. I'M NOT
22 SPECIFICALLY SAYING R.P.C.

23

24 **MARK CHILD:** RIGHT. THAT'S CORRECT.

25



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1 **SUP. ANTONOVICH:** AND THAT PROTECTION'S IN FOR THE LIFE OF THE
2 PROJECT.

3

4 **MARK CHILD:** THAT'S CORRECT, YES.

5

6 **SUP. ANTONOVICH:** BECAUSE YOU HAVE TO HAVE GUARANTEES FOR THE
7 PEOPLE THAT ARE THERE THAT THEIR WATER IS NOT GOING TO BE
8 JEOPARDIZED. YOU'LL HAVE TO HAVE A GUARANTEE THAT THIS, IF
9 APPROVED, IS GOING TO PROTECT THEM FOR NOT HAVING THEIR WATER
10 RIGHTS JEOPARDIZED.

11

12 **SPEAKER:** I BELIEVE THOSE SAFEGUARDS ARE --

13

14 **JOE COTA:** SUPERVISOR, I DON'T WANT TO ADDRESS OUT OF TURN, BUT
15 THOSE ARE PART OF THE CONDITIONS. THOSE WERE UNDERSTOOD AND
16 CRAFTED INTO THE ORIGINAL CONDITIONAL USE PERMIT CONDITIONS
17 BASED ON ALL THE PRIOR TESTIMONY OF THE OPPONENTS TO THIS
18 C.U.P. AND THOSE WERE BUILT IN.

19

20 **MARK CHILD:** AS WE REVIEWED THE APPLICATION AND HEARD THE
21 POTENTIAL FOR WHAT PROBLEMS COULD COME UP IN THE REST OF THE
22 COMMUNITY, WE WERE CONSCIOUS OF LOOKING FOR WAYS TO HAVE AN
23 ABILITY TO REQUIRE THAT THEY CEASE PUMPING. SO THERE'S AS MANY
24 OPTIONS OR AS MANY TIMES AS WE COULD PROVIDE THAT ABILITY IF
25 THERE WERE A PROBLEM, WE'VE PLACED THAT INTO THE CONDITIONS



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1 BECAUSE WE WERE CONCERNED THAT THE INFORMATION SUPPLIED BY THE
2 APPLICANT SUPPORTS ALL OF THE VOLUMES THAT ARE BEING PROPOSED.
3 BUT THERE STILL IS AN ELEMENT OF THE ALLEGATIONS THAT WE'RE
4 UNABLE TO REALLY ADDRESS BECAUSE THERE ISN'T ANY DATA TO GO
5 BACK TO 2003/2004.

6

7 **SUP. ANTONOVICH:** I WOULD LIKE THEN TO MOVE THAT THE BOARD
8 CLOSE THE PUBLIC HEARING AND ADOPT THE MITIGATED NEGATIVE
9 DECLARATION RECOMMENDED BY THE REGIONAL PLANNING. HOWEVER I
10 WANT TO DIRECT COUNTY COUNSEL AND DIRECTOR OF REGIONAL
11 PLANNING TO MODIFY THOSE CONDITIONS OF APPROVAL TO ONE,
12 REQUIRE THAT THE APPLICANT HIRE A THIRD-PARTY CONSULTANT
13 ACCEPTABLE TO THE DEPARTMENT OF REGIONAL PLANNING TO CONDUCT
14 FOUR INSPECTIONS PER YEAR, TWO ANNOUNCED AND TWO UNANNOUNCED,
15 TO MONITOR THE PROJECT IN TERMS OF COMPLIANCE WITH CONDITIONS
16 OF APPROVAL RELEVANT TO THE TRIPS, RECORDKEEPING, MAINTENANCE
17 AND VALIDITY OF STATE AND COUNTY PERMITS AND OTHER RELEVANT
18 CONDITIONS OF THIS GRANT AS DETERMINED BY THE DEPARTMENT OF
19 REGIONAL PLANNING, REQUIRING THAT THE APPLICANT HIRE A THIRD-
20 PARTY ENGINEER ACCEPTABLE TO THE DEPARTMENT OF PUBLIC WORKS TO
21 CALIBRATE, GAUGE, AND INSPECT ALL WATER WELLS, PUMPING
22 EQUIPMENT AND GAUGES TO ENSURE THE PROPER OPERATION, ACCURACY
23 OF EQUIPMENT AT LEAST TWICE A YEAR OR MORE IF SO DEEMED
24 NECESSARY BY STAFF AND SUBMIT FINDINGS AND RECOMMENDATIONS TO
25 THE DEPARTMENT OF PUBLIC WORKS. AND I ALSO HAVE YOU SUBMIT



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1 THOSE REPORTS TO THE BOARD OF SUPERVISORS. MODIFY CONDITION
2 NO. 9 TO ELIMINATE THE DIRECTOR'S REVIEW OF AN EXTENSION, AND
3 INSTEAD OF REQUIRING IT UPON THE EXPIRATION OF THIS GRANT IN
4 FIVE YEARS THAT THE REGIONAL PLANNING COMMISSION REVIEW AND
5 CONSIDER AN ADDITIONAL FIVE OR TEN-YEAR AT A NOTICED PUBLIC
6 HEARING. AND THEN WE WOULD DIRECT THE COUNSEL TO PREPARE THOSE
7 FINAL FINDINGS AND CONDITIONS NECESSARY FOR THE APPROVAL AND
8 THEREBY DENY THE APPEAL. SO THAT WOULD BE THE MOTION.

9

10 **SUP. BURKE, CHAIR:** IS THERE A SECOND? MOVED AND SECONDED.
11 WITHOUT OBJECTION, THE MOTION IS APPROVED.

12

13 **SUP. ANTONOVICH:** ITEM NO. 38-C

14

15 **SUP. BURKE, CHAIR:** WE HAVE ONE MORE PLANNING ITEM?

16

17 **CLERK SACHI HAMAI:** ON ITEM NO. 15, AND I'LL JUST READ THE
18 SHORT TITLE IN FOR THE RECORD. THIS IS THE COMBINED HEARING ON
19 PROJECT NO. TR067784-(2), GENERAL PLAN AMENDMENT CASE NO.
20 2006-00015-(2), ZONE CHANGE CASE NO. 2006-00012-(2),
21 CONDITIONAL USE PERMIT NO. 2006-00321-(2), VESTING TENTATIVE
22 TRACT MAP CASE NO. 067784-(2) AND HOUSING PERMIT CASE NO.
23 2006-00003-(2), MITIGATED NEGATIVE DECLARATION RELATING TO
24 PROPERTY LOCATED AT 22425 THROUGH 22433 SOUTH VERMONT AVENUE
25 WITH THE UNINCORPORATED COMMUNITY OF WEST CARSON, CARSON ZONE



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1 DISTRICT, PETITIONED BY SHEA PRESIDIO RED OAK, L.L.C. THERE IS
2 A BRIEF DEPARTMENT STATEMENT ON THIS MATTER AND NO
3 CORRESPONDENCE WAS RECEIVED.

4

5 **JODIE SACKETT:** YES, GOOD AFTERNOON MADAME CHAIR, HONORABLE
6 SUPERVISORS. MY NAME IS JODY SACKETT AND I'M A SENIOR REGIONAL
7 PLANNING ASSISTANT WITH THE DEPARTMENT OF REGIONAL PLANNING.
8 THE PROJECT BEFORE YOU THIS AFTERNOON IS A REQUEST FOR A
9 MULTI-FAMILY RESIDENTIAL DEVELOPMENT OF 246 ATTACHED
10 CONDOMINIUM UNITS ON 4.74 GROSS ACRES LOCATED IN THE CARSON
11 ZONED DISTRICT. THE PROJECT REQUESTS A GENERAL PLAN AMENDMENT
12 AND ZONE CHANGE TO ALLOW HIGH DENSITY RESIDENTIAL LAND USE AND
13 ZONING, A CONDITIONAL USE PERMIT FOR A DEVELOPMENT PROGRAM AND
14 A HOUSING PERMIT TO ALLOW A DENSITY BONUS WITH 10 PERCENT OF
15 THE DEVELOPMENT TO BE SET ASIDE FOR LOWER INCOME AFFORDABLE
16 HOUSING. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED
17 FOR THIS PROJECT DETERMINING THAT ENVIRONMENTAL IMPACTS CAN BE
18 REDUCED TO LESS THAN SIGNIFICANT OR NO IMPACT WITH PROJECT
19 MITIGATION. THIS PROJECT WAS HEARD BEFORE THE REGIONAL
20 PLANNING COMMISSION ON AUGUST 13TH, 2008. CONCERNS RAISED BY
21 LOCAL RESIDENTS AT THE PUBLIC HEARING INCLUDED THE
22 COMPATIBILITY OF BUSINESS OPERATIONS OF AN ADJACENT BAKERY,
23 HIRING OF LOCAL LABOR FOR CONSTRUCTION OF THE PROJECT AND
24 ASSURANCE OF PRIVACY FOR THE EXISTING SINGLE-FAMILY RESIDENCES
25 ADJACENT TO THE DEVELOPMENT. THOSE IN SUPPORT OF THE PROPOSED



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1 DEVELOPMENT INDICATED REMOVAL OF THE EXISTING WAREHOUSE
2 BUILDING, INCREASE IN LOCAL COMMUNITY ACTIVITY AND UTILIZATION
3 OF GREEN BUILDING PRINCIPLES FOR THE PROJECT. THE COMMISSION
4 APPROVED THE PROPOSED DEVELOPMENT ON AUGUST 13TH, 2008. THIS
5 CONCLUDES STAFF'S PRESENTATION AND STAFF IS AVAILABLE TO
6 ANSWER ANY QUESTIONS.

7

8 **SUP. BURKE, CHAIR:** THERE IS NO ONE WHO IS APPEARING IN
9 OPPOSITION TO THIS AS I UNDERSTAND. I THEREFORE MOVE THAT THE
10 BOARD OF SUPERVISORS CLOSE THE PUBLIC HEARING, CONSIDER AND
11 ADOPT THE ATTACHED MITIGATED NEGATIVE DECLARATION, PREPARE FOR
12 THIS PROJECT AND ITS ATTACHED MITIGATION MONITOR PROGRAM
13 TOGETHER WITH ANY COMMENTS RECEIVED DURING THE PUBLIC REVIEW
14 PROCESS, CERTIFY ITS COMPLETION CONSISTENT WITH C.E.Q.A. AND
15 FIND THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT
16 WILL HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT WITH THE
17 IMPLEMENTATION OF THE M.M.P. AND THAT THE M.M.D. REFLECT
18 INDEPENDENT JUDGMENT AND ANALYSIS OF THE COUNTY. THREE,
19 INDICATE ITS INTENT TO APPROVE GENERAL PLAN AMENDMENT CASE
20 2006-00015 IN THE SECOND DISTRICT ZONE CHANGE CASE NO. 2006-
21 00012, CONDITIONAL USE PERMIT CASE NO. 2006-000321, VESTING
22 TENTATIVE TRACK MAP NO. 067784, SECOND DISTRICT, AND HOUSING
23 PERMIT CASE NUMBER 2006-00003-(2), AND INSTRUCT THE COUNTY
24 COUNSEL TO PREPARE THE NECESSARY ORDINANCE RESOLUTION FINDING
25 AND CONDITIONS FOR FINAL APPROVAL. SECONDED BY SUPERVISOR



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1 ANTONOVICH. WITHOUT OBJECTION, THE HEARING IS CLOSED AND THE
2 APPLICATION IS APPROVED. WE'LL GO BACK TO TWO AND THEN WE'LL
3 GO BACK TO SUPERVISOR ANTONOVICH'S OTHER ISSUES.

4

5 **CLERK SACHI HAMAI:** MADAME CHAIR, ON ITEM NO. 2 AND MEMBERS OF
6 THE BOARD, AFTER TABULATING THE BALLOTS A DETERMINATION HAS
7 BEEN MADE THAT NO MAJORITY PROTEST EXISTS AGAINST THE PROPOSED
8 ANNEXATION AND LEVYING OF ASSESSMENTS OF TERRITORY TO COUNTY
9 LIGHTING DISTRICT LLA-1, DIAMOND BAR ZONE FOR FISCAL YEAR
10 2009-2010. AS A RESULT, IT WOULD BE APPROPRIATE FOR THE BOARD
11 TO ADOPT THE RESOLUTION ORDERING ANNEXATION AND LEVYING OF
12 ASSESSMENTS AND CONFIRMING A DIAGRAM AND ASSESSMENT WITHIN THE
13 ANNEXED TERRITORY FOR FISCAL YEAR 2009-2010.

14

15 **SUP. BURKE, CHAIR:** I MOVE. SECONDED BY SUPERVISOR YAROSLAVSKY.
16 WITHOUT OBJECTION, SO ORDERED. SUPERVISOR ANTONOVICH.

17

18 **SUP. ANTONOVICH:** COULD WE HAVE THE DEPARTMENT OF HEALTH? AND
19 THE DEPARTMENT OF HUMAN RESOURCES?

20

21 **SUP. BURKE, CHAIR:** WE HAVE TWO PEOPLE ASKING TO SPEAK. ARNOLD
22 SACHS AND DR. GENEVIEVE CLAVREUL. GENEVIEVE? SHE LEFT? ALL
23 RIGHT.

24

25 **MIKE HENRY:** MADAME CHAIRMAN, MEMBERS OF THE BOARD. MIKE HENRY.



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1

2 **SUP. ANTONOVICH:** MICHAEL, WE WANT TO HEAR FROM THE PUBLIC
3 FIRST.

4

5 **MIKE HENRY:** OH, SURE.

6

7 **SUP. BURKE, CHAIR:** MR. SACHS, THERE'S A CHAIR HERE. WE CAN
8 HEAR FROM YOU. GO RIGHT AHEAD. HE'LL HEAR THE REPORT FIRST.

9

10 **MIKE HENRY:** MADAME CHAIRMAN, MEMBERS OF THE BOARD, MIKE HENRY,
11 HUMAN RESOURCES DIRECTOR, AND TO MY RIGHT I HAVE --

12

13 **EPIFANIO PENADO:** EPIFANIO PENADO, DEPARTMENT OF HUMAN
14 RESOURCES.

15

16 **MIKE HENRY:** ON SEPTEMBER 10TH, THE DEPARTMENT OF HUMAN
17 RESOURCES INITIATED AN AUDIT OF D.H.S. PERFORMANCE MANAGEMENT
18 RECORDS AND IN RESPONSE TO RECOMMENDATIONS IN THE AUDITOR-
19 CONTROLLER'S REPORT. THE AUDITOR-CONTROLLER'S REPORT OF
20 SEPTEMBER 8TH INFORMED YOU THAT THE DEPARTMENT OF HEALTH
21 SERVICES LIFE SCANNED A TOTAL OF 1,356 EMPLOYEES AT THE M.L.K.
22 M.A.C.C. INSTITUTION. THE DEPARTMENT OF JUSTICE REPORTED BACK
23 ARRESTS AND CRIMINAL CONVICTION INFORMATION ON 152 OF THOSE
24 EMPLOYEES. THE AUDITOR-CONTROLLER RECOMMENDED THAT D.H.S. WORK
25 WITH THE DEPARTMENT OF HUMAN RESOURCES TO REVIEW THOSE CASES



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1 THAT INCLUDED THE DEPARTMENT OF JUSTICE NOTIFICATIONS OF A
2 HIT. IN RESPONSE TO THE AUDITOR'S RECOMMENDATIONS, THE
3 DEPARTMENT OF HUMAN RESOURCES CONDUCTED A FURTHER AUDIT. AND
4 ON SEPTEMBER 10TH, D.H.R. SENT A TEAM TO REVIEW D.H.S.'S FILES
5 AND DETERMINE IF D.H.S.'S REVIEW WAS IN COMPLIANCE WITH THE
6 COUNTY'S POLICY BASED ON THE BOARD'S 1998 RESOLUTION. D.H.
7 STAFF REVIEWED THE 152 CASES IDENTIFIED BY THE AUDITOR WITH
8 SPECIFIC FOCUS ON THE 99 NO JOB NEXUS DETERMINATIONS MADE BY
9 THE DEPARTMENT OF HEALTH SERVICES, THE 30 ADDITIONAL CASES,
10 WHICH WERE IDENTIFIED BY THE AUDITOR-CONTROLLER TO BE IN
11 PROCESS, AND WE ALSO CONFIRMED THAT THE REMAINING 23 CASES, 15
12 INVOLVED CASES THAT WERE DISMISSED BY THE COURTS AND 8
13 INVOLVED EMPLOYEES WHO WERE NO LONGER EMPLOYED BY THE
14 DEPARTMENT OF HEALTH SERVICES. IN OUR REVIEW OF THESE CASES,
15 D.H.R. STAFF FOLLOWED PROCEDURES IDENTIFIED IN OUR NOVEMBER
16 1998 MEMO SENT TO ALL DEPARTMENTS WHICH INCORPORATED THE
17 BOARD'S RESOLUTION REGARDING ACCESS OF CRIMINAL HISTORY
18 INFORMATION FOR EMPLOYMENT IN SENSITIVE POSITIONS. THE
19 METHODOLOGY INCLUDED AN ANALYSIS OF POTENTIALLY DISQUALIFYING
20 JOB-RELATED OFFENSES TO DETERMINE IF THERE IS A JOB NEXUS
21 BETWEEN A CONVICTION AND THE POSITION. THIS WAS LABELED AS OUR
22 PHASE 1. AND AFTER ASSIGNING A JOB NEXUS, WE THEN EVALUATE THE
23 CRIMINAL CONVICTIONS USING HIRING STANDARDS FOUND IN THE
24 BOARD'S RESOLUTION TO DETERMINE SUITABILITY FOR EMPLOYMENT,
25 WHICH WE HAVE LABELED PHASE 2. WE OBTAINED CERTIFIED ORDERS



**The Meeting Transcript of
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1 FROM THE COURT TO VERIFY CONVICTIONS. WE REQUESTED WRITTEN
2 STATEMENTS FROM EMPLOYEES. WE REVIEWED OFFICIAL PERSONNEL
3 FILES TO DETERMINE IF THERE WAS AN EARLIER DISCLOSURE OF THE
4 EMPLOYEE INFORMATION SHEETS. AND WHEN AVAILABLE, WE REVIEWED
5 EMPLOYEE APPLICATIONS. AS REPORTED EARLIER IN PHASE 1, OF THE
6 99 NO JOB NEXUS DETERMINATIONS MADE BY HEALTH SERVICES
7 DEPARTMENT, WE FOUND THAT IN 71 OF THOSE CASES, A
8 DETERMINATION OF JOB NEXUS WAS WARRANTED. AT PHASE TWO, WE
9 FURTHER ASSESSED THOSE 71 CASES THAT WE FOUND TO HAVE A JOB
10 NEXUS. AND WE OBTAINED THE INFORMATION THAT WAS SPOKEN OF
11 EARLIER. AT THE CONCLUSION OF PHASE 2, DEPARTMENT OF HUMAN
12 RESOURCES PROVIDED D.H. WITH THE RECOMMENDATIONS, OR THE
13 DEPARTMENT OF HEALTH SERVICES, WITH THE RECOMMENDED PLAN OF
14 ACTION, WHICH INCLUDED PROVIDING A NON-DISCIPLINARY LETTER OF
15 DETERMINATION, WHICH IS A NOTICE GIVEN TO CONFIRM SUITABILITY
16 FOR EMPLOYMENT. OR A RECOMMENDED DISCIPLINARY ACTION RANGING
17 FROM A WRITTEN WARNING, REPRIMAND TO SUSPENSION OR DISCHARGE.
18 OUR REPORT PROVIDES YOUR BOARD WITH ACTIONS RECOMMENDED BY THE
19 DEPARTMENT OF HUMAN RESOURCES. MOST NOTABLY, OF THE 99 CASES
20 REVIEWED, WE RECOMMEND THAT 99 EMPLOYEES BE DISCHARGED DUE TO
21 ISSUES INVOLVING SERIOUS CONVICTIONS OR A PATTERN OF CRIMINAL
22 CONVICTIONS THAT IN OUR PROFESSIONAL ESTIMATE COMPELS US TO
23 SEPARATE THESE PARTICULAR EMPLOYEES BECAUSE WE FOUND THEM TO
24 NOT BE SUITABLE FOR CONTINUED EMPLOYMENT. OF THE 30 CASES THAT
25 WERE IN PROCESS, WE IDENTIFIED ANOTHER 10 CASES IN WHICH WE'RE



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1 RECOMMENDING DISCHARGE OF THOSE EMPLOYEES. WE WOULD LIKE TO
2 POINT OUT THAT REGARDING DISMISSALS, COMMONLY KNOWN AS
3 EXPUNGEMENTS, WE HAVE A NUMBER OF CASES THAT WERE ULTIMATELY
4 DETERMINED TO BE DISMISSED BASED ON CERTIFIED COURT RECORDS.
5 IN ALL INSTANCES INVOLVING DISMISSAL OR EXPUNGEMENTS,
6 EMPLOYEES ARE NOT REQUIRED TO DISCLOSE THESE CONVICTIONS, AND
7 EMPLOYEES ARE PROHIBITED FROM -- THE EMPLOYERS ARE PROHIBITED
8 FROM TAKING ANY ACTIONS INVOLVING THE DISMISSED CASES. AS A
9 RESULT OF THE WORK PERFORMED BY THE AUDITOR-CONTROLLER AND THE
10 DEPARTMENT OF HUMAN RESOURCES, THE FOLLOWING ACTIVITIES HAVE
11 BEEN OR ARE BEING PREPARED: PROTOCOLS. D.H.R. HAS DRAFTED
12 PROTOCOLS THAT ARE INTENDED TO IMPROVE THE DEPARTMENT OF
13 HEALTH SERVICES' HANDLING OF D.O.J. NOTIFICATIONS THAT ARE
14 RECEIVED BY THE DEPARTMENT OF HEALTH SERVICES AND THE D.O.J.
15 UNIT. THESE PROTOCOLS WILL INCLUDE A CHECKLIST FORM TO ASSIST
16 THE HEALTH SERVICES DEPARTMENT AND ALL OTHER COUNTY
17 DEPARTMENTS IN DETERMINING JOB NEXUS AND SUITABILITY FOR
18 EMPLOYMENT. A MATRIX TO PROVIDE SOME GUIDELINES TO ASSIST IN
19 ASSESSING THE GRAVITY OF THE CONVICTION INFORMATION AND
20 WHETHER THE EMPLOYEE IS EMPLOYABLE. A FREQUENTLY ASKED
21 QUESTION DOCUMENT TO ADDRESS COMMONLY RAISED ISSUES IN
22 CONNECTION WITH ASSESSING CRIMINAL INFORMATION, AND GUIDELINES
23 ON CONTACTING THE COURT TO OBTAIN ANY NEEDED DOCUMENTATIONS TO
24 ASSIST IN THE CONVICTION HISTORY FOR ACCURACY. WE ALSO ARE
25 RECOMMENDING AND WILL BE TRAINING THOSE INDIVIDUALS AT THE



**The Meeting Transcript of
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1 DEPARTMENT OF HEALTH SERVICES THAT ARE PART OF THIS NEW UNIT,
2 AND IN ADDITION, WE ARE GOING TO BE TRAINING OTHER COUNTY
3 DEPARTMENTS IN THE CRIMINAL BACKGROUND INFORMATION PROCESS AS
4 WELL AS AUDITING COUNTY DEPARTMENTS TO MAKE SURE THAT THEY'RE
5 IN COMPLIANCE WITH OUR POLICIES. WE WANT TO THANK THE
6 DEPARTMENT OF HEALTH SERVICES AND THE C.E.O. AND THE AUDITOR-
7 CONTROLLER FOR HELPING US WITH THIS PARTICULAR REPORT.

8

9 **SUP. ANTONOVICH:** LET ME ASK A QUESTION. WHY WOULDN'T THIS BE A
10 NORMAL PART OF THE PROTOCOL WHERE H.R. IN THEIR DEPARTMENTS
11 AND YOUR DEPARTMENT WOULD HAVE THIS AT THE FOREFRONT OF THE
12 APPLICATIONS AND THE REVIEW OF APPLICANTS THAT APPLY FOR JOBS?

13

14 **MIKE HENRY:** THE APPLICATION PROCESS IN THIS COUNTY, BASICALLY
15 FOR THE MOST PART APPLICATIONS ARE BASICALLY COLLECTED BY
16 DEPARTMENTS. AND MANY OF THEM DO THEIR OWN EXAM PROCESSES.

17

18 **SUP. ANTONOVICH:** WHY DON'T WE HAVE A BOILERPLATE FOR EVERYONE
19 THAT CRIMINAL BACKGROUND INVESTIGATION IS CHECKED BEFORE THE
20 APPLICANT IS THEN FURTHER CONSIDERED FOR THAT POSITION?

21

22 **MIKE HENRY:** IT'S SUPPOSED TO BE.

23

24 **SUP. ANTONOVICH:** I KNOW, BUT WHY HASN'T THERE -- WHY HASN'T
25 THERE BEEN THE BACKGROUND? WHY DID IT TAKE A POOR LADY BEING



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 BASICALLY MURDERED BY NEGLIGENCE AT A HOSPITAL TO HAVE ALL THESE
2 REVELATIONS COME OUT? I MEAN, WHY ISN'T THIS PART OF OUR
3 PROTOCOL?

4

5 **MIKE HENRY:** THE DEPARTMENT OF HEALTH SERVICES WILL HAVE TO
6 ANSWER THAT. ALL I CAN TELL YOU IN THIS PARTICULAR INSTANCE,
7 WHEN THE INDIVIDUALS ARE TRANSFERRED FROM THE HOSPITAL TO THE
8 M.A.C.C. AND TO OTHER LOCATIONS IN THE DEPARTMENT, THEY WERE
9 ALL LIFE SCANNED PURSUANT TO THE PROTOCOL. AND IT WAS 152 THAT
10 WAS FOUND TO HAVE THIS PARTICULAR CRIMINAL BACKGROUND. AND THE
11 DEPARTMENT DID NOT FOLLOW-UP ON THOSE 152 IN A GOOD MANNER.
12 AND MY DEPARTMENT WAS ASKED TO COME IN AND DO THE AUDIT BASED
13 ON WHAT THE AUDITOR-CONTROLLER HAD FOUND WHEN THEY AUDITED
14 THOSE PARTICULAR CASES.

15

16 **SUP. ANTONOVICH:** SO YOU'RE SAYING THE DEPARTMENT OF HEALTH
17 HIRED THESE PEOPLE WITHOUT DOING A CRIMINAL BACKGROUND? AND
18 YOUR DEPARTMENT, AS HEAD OF HUMAN RESOURCES, DID NOT HAVE THE
19 ABILITY TO REVIEW THESE APPLICANTS PRIOR TO THEIR BEING HIRED?

20

21 **MIKE HENRY:** WE DIDN'T KNOW ABOUT THESE APPLICANTS UNTIL AFTER
22 THEY WERE HIRED AND THE AUDIT WAS REQUESTED BY YOUR BOARD PER
23 THE AUDITOR.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. ANTONOVICH:** BUT YOU HAVE NO PEER REVIEW AS TO THE
2 CRIMINAL BACKGROUND INVESTIGATIONS BOX BEING CHECKED?

3

4 **MIKE HENRY:** WE HAVE THE POLICY THAT WAS PUT OUT IN 1998 AND
5 SUBSEQUENT UPDATED POLICIES THAT WERE SENT TO DEPARTMENTS. IN
6 THIS INSTANCE, WHEN WE WENT THROUGH THE FILES THAT WERE
7 AVAILABLE FOR THESE PARTICULAR 152 EMPLOYEES, THERE WAS NO
8 DOCUMENTATION OF HOW THE DEPARTMENT GOT TO THE NEXUS --

9

10 **SUP. ANTONOVICH:** BUT PRIOR TO THEM HIRING THAT PERSON WAS THE
11 CRIMINAL BACKGROUND INVESTIGATION COMPLETED?

12

13 **MIKE HENRY:** NO. BECAUSE THE WAY OUR PROCESS WORKS, THE
14 DEPARTMENT HAS THE AUTHORITY TO HIRE AND OFTENTIMES --

15

16 **SUP. ANTONOVICH:** BUT THEY DON'T HAVE THE AUTHORITY TO HIRE
17 SOMEBODY THAT DIDN'T PASS A CRIMINAL BACKGROUND INSPECTION.

18

19 **MIKE HENRY:** NO, THEY DON'T. BUT I WOULDN'T KNOW WHETHER THEY
20 DID THAT OR NOT.

21

22 **SUP. ANTONOVICH:** WHY DON'T YOU HAVE IN PLACE A PROTOCOL WHERE
23 YOU HAVE TO KNOW AND THEY WOULD HAVE TO VERIFY WITH YOU THAT
24 THEY PASSED THE CRIMINAL BACKGROUND INVESTIGATION, IT WAS
25 NEGATIVE?



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **MIKE HENRY:** AND THAT'S WHAT WE'RE RECOMMENDING AT THIS TIME.

3

4 **SUP. ANTONOVICH:** I DON'T UNDERSTAND WHY IT TAKES A LADY TO GET
5 KILLED TO HAVE THIS HAPPEN.

6

7 **MIKE HENRY:** BUT OUR HIRING IN THIS COUNTY IS DECENTRALIZED.

8

9 **SUP. ANTONOVICH:** BUT HAVING A CRIMINAL BACKGROUND
10 INVESTIGATION IS ONE OF THE REQUIREMENTS OF PUTTING A PERSON'S
11 NAME, CORRECT ADDRESS, CORRECT SOCIAL SECURITY NUMBER, AS PART
12 OF THE PROTOCOL.

13

14 **MIKE HENRY:** EXACTLY.

15

16 **SUP. ANTONOVICH:** IT'S LIKE THE THREE BLIND MICE IN CHARGE OF
17 THE PROTOCOL. WHAT IS THE DEPARTMENT'S CURRENT BACKLOG IN THE
18 DEPARTMENT OF HEALTH'S EMPLOYEES UNDERGOING BACKGROUND
19 INVESTIGATIONS RIGHT NOW?

20

21 **JIM JONES:** SUPERVISOR, MY NAME'S JIM JONES. I'M THE ADMIN
22 DEPUTY FOR HEALTH SERVICES. THE CURRENT BACKLOG OF COUNTY
23 EMPLOYEES WHERE WE HAVE A D.O.J. HIT AND WE ARE IN SOME STAGE
24 OF THE INVESTIGATION IS 37 EMPLOYEES. ADDITIONALLY, THERE ARE
25 89 CONTRACT EMPLOYEES THAT ARE ALSO -- WE HAVE A HIT AND



**The Meeting Transcript of
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1 THEY'RE UNDER INVESTIGATION. WE'LL BE LOOKING FURTHER AT THAT
2 POPULATION OF CONTRACT EMPLOYEES TO SEE WHETHER THEY WARRANT
3 THE LEVEL OF EFFORT THAT THEY'VE BEEN GIVEN IN THE PAST.

4

5 **SUP. ANTONOVICH:** WHAT PROCESS IS IN PLACE TO COMMUNICATE THE
6 FINDINGS AND DISPOSITIONS OF BACKGROUND INVESTIGATIONS TO THE
7 HOSPITAL C.E.O.S AND PROGRAM DIRECTORS IN A TIMELY MANNER?

8

9 **MIKE HENRY:** SUPERVISOR, THE RESULTS OF THE D.O.J. FROM THE
10 DEPARTMENT OF JUSTICE ARE NOT ALWAYS RECEIVED IN A TIMELY
11 MANNER. IT DEPENDS UPON WHETHER THERE IS A CRIMINAL BACKGROUND
12 OR NOT AND THE TIME FRAME THAT WE GET THOSE RESULTS. WE
13 ENDEAVOR TO COMMUNICATE THAT VERY TIMELY TO THE HOSPITAL
14 C.E.O.S AND THE HIRING STAFF AT THE HOSPITALS WHEN WE GET
15 THOSE RESULTS.

16

17 **SUP. ANTONOVICH:** ARE EXPECTATIONS ESTABLISHED FOR PROCESSING
18 BACKGROUND INVESTIGATIONS?

19

20 **MIKE HENRY:** YES, THEY ARE, SUPERVISOR. AND THAT'S PART OF THE
21 NEW POLICY THAT WE'RE PUTTING FORWARD. IN ADDITION TO THE
22 CHECKLIST, THERE IS AN AREA THAT REQUIRES THE INDIVIDUAL
23 THAT'S DOING THE BACKGROUND CHECK TO MAKE CONTACT WITH THE
24 HIRING MANAGER AND GIVE THE HIRING MANAGER A NOTIFICATION OF
25 THE STATUS.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. ANTONOVICH:** WHEN WILL THAT BE PUT IN PLACE?

3

4 **MIKE HENRY:** WE HAVE IT NOW.

5

6 **SUP. ANTONOVICH:** THEY ARE IN PLACE NOW?

7

8 **MIKE HENRY:** IT IS NOT IN PLACE NOW BUT WE HAVE THE CHECKLIST
9 AND WE WILL BE PUTTING IT IN PLACE. AS EARLY AS THIS WEEK.

10 WELL, WHEN WE DID OUR AUDIT, THIS IS THE TYPE OF INFORMATION
11 THAT WE USED. AND HAVING FOUND OUT WHAT WAS THERE OR WHAT'S
12 NOT IN PLACE THERE, WE'VE CRAFTED THESE NEW INSTRUMENTS FOR
13 THE DEPARTMENT TO USE. AND WE WILL BE SENDING THEM TO THE
14 DEPARTMENT THIS WEEK.

15

16 **SUP. ANTONOVICH:** WHY DIDN'T THE DEPARTMENT OF HEALTH'S H.R.
17 PERSONNEL DO AN ADEQUATE CRIMINAL INVESTIGATION REPORT ON
18 THEIR EMPLOYEES PRIOR TO HIRING THEM?

19

20 **DR. JOHN SCHUNHOFF:** WELL, SUPERVISOR, THE 152 WE'RE TALKING
21 ABOUT WERE ALL IN PLACE AT KING AT THAT TIME. THEY WERE BEING
22 SCANNED FOR TRANSFER AND POTENTIAL TRANSFER TO OTHER
23 FACILITIES.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. ANTONOVICH:** I KNOW BUT WHEN HIRING THEM IN THE FIRST
2 PLACE, WHY DIDN'T YOU HAVE THAT PROTOCOL IMPLEMENTED, WHICH
3 WAS A REQUIREMENT?

4

5 **DR. JOHN SCHUNHOFF:** SUPERVISOR, MANY OF THESE EMPLOYEES HAD
6 BEEN ON BOARD --

7

8 **SUP. ANTONOVICH:** I DON'T CARE MANY HAVE BEEN THERE. BUT WHY
9 ISN'T IT AN ONGOING PART OF YOUR PROTOCOL TO DO CRIMINAL
10 BACKGROUND INVESTIGATION?

11

12 **DR. JOHN SCHUNHOFF:** SUPERVISOR, IT IS NOW PART OF THAT. THE
13 LIFE SCAN HAS ALWAYS BEEN PART OF IT. THE STAFF DID NOT DO
14 WHAT THEY SHOULD HAVE DONE LAST AUGUST AND SEPTEMBER RELATIVE
15 TO VETTING THE RESULTS OF THOSE LIFE SCANS, 152.

16

17 **SUP. ANTONOVICH:** AND WHAT HAPPENED TO THOSE STAFF THAT DIDN'T
18 IMPLEMENT THOSE POLICIES?

19

20 **DR. JOHN SCHUNHOFF:** THERE IS DISCIPLINE THAT IS PENDING FOR
21 SEVERAL EMPLOYEES. AND NONE OF THOSE THAT WERE SPECIFICALLY
22 WORKING IN THAT AREA ARE WORKING THERE NOW.

23



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. ANTONOVICH:** WERE ANY OF THE D.O.J. HITS UPON WHICH THE
2 DEPARTMENT OF HEALTH SERVICES BASED THEIR DECISIONS FOUND TO
3 BE INACCURATE?

4

5 **MIKE HENRY:** YES, THERE WERE SOME OF THE INFORMATION THAT WE
6 GOT FROM THE DEPARTMENT OF JUSTICE THAT WAS NOT UPDATED. AND
7 THIS WAS PRIMARILY IN THE AREA OF EXPUNGEMENTS WHERE
8 INDIVIDUALS DO HAVE THE ABILITY TO GO BACK TO COURT AND GET
9 THEIR CRIMINAL CONVICTIONS EXPUNGED. AND ONCE THEY DO THAT, WE
10 AS AN EMPLOYER CANNOT USE THAT INFORMATION FOR EMPLOYMENT
11 PURPOSES. AND WE DID FIND THOSE DISCREPANCIES.

12

13 **SUP. ANTONOVICH:** SO WHAT CAUSED THESE ERRORS WERE THE FACTS
14 THAT THE RECORDS HAD BEEN EXPUNGED. AND DID THEY FOLLOW ALL
15 STEPS REQUIRED OF THE BACKGROUND INVESTIGATION PROCESS?

16

17 **MIKE HENRY:** WELL, WE DID ON THE 152 THAT WE LOOKED AT. AND
18 THESE WERE SOME OF THE THINGS THAT SURFACED, IN THAT WE
19 ACTUALLY WENT TO THE COURT RECORDS TO CONFIRM A LOT OF THE
20 INFORMATION WHERE THERE WERE DISCREPANCIES.

21

22 **SUP. ANTONOVICH:** IS THE CRIMINAL INVESTIGATIONS UNIT CURRENTLY
23 APPROPRIATELY STAFFED AND TRAINED TO PROCESS INVESTIGATIONS
24 TIMELY, EFFECTIVELY AND ACCURATELY FOR BOTH H.R.S?

25



**The Meeting Transcript of
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1 **MIKE HENRY:** I BELIEVE MY DEPARTMENT IS APPROPRIATELY STAFFED.
2 THE AUDIT INDIVIDUALS THAT WE'RE USING WE'RE TAKING THAT FROM
3 POSITIONS THAT WERE GIVEN TO US FOR ONE OF OUR IMPACT TEAMS
4 AND WE'RE GOING TO USE THOSE INDIVIDUALS TO AUDIT. IF THERE'S
5 ADDITIONAL RESOURCES THAT WE NEED, WE'LL COME BACK TO THIS
6 BOARD. AS FOR THE DEPARTMENT ITSELF, I BELIEVE THEY DO HAVE
7 ENOUGH STAFF BUDGETED, BUT THEY HAVEN'T FILLED ALL THOSE
8 VACANCIES YET. THEY ARE IN THE PROCESS OF FILLING THOSE
9 VACANCIES.

10

11 **SUP. ANTONOVICH:** HOW LONG HAVE YOU BEEN IN THE PROCESS OF
12 FILLING THOSE VACANCIES?

13

14 **MIKE HENRY:** SUPERVISOR, WE HAVE FOUR PEOPLE STAFFING THE UNIT
15 TODAY. SO THERE ARE NEW STAFF THAT ARE BEING -- THAT ARE IN
16 THE HIRING PROCESS. WE JUST HAD A NEW SUPERVISOR START LAST
17 WEEK. WHEN SOME OF THE NEW STAFF COME ON BOARD, SOME OF THE
18 EXISTING STAFF WILL TRANSFER OFF. SO THE UNIT IS FULLY STAFFED
19 TODAY.

20

21 **SUP. ANTONOVICH:** AND HOW MANY STAFF DID THE C.E.O. RECOMMEND?

22

23 **MIKE HENRY:** THE C.E.O. RECOMMENDED I BELIEVE FOUR STAFF. IT
24 WAS EITHER FOUR OR FIVE STAFF.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SPEAKER:** THAT'S CORRECT.

2

3 **SUP. ANTONOVICH:** FOUR OR FIVE STAFF. BUT WHY IS THERE SUCH A
4 DELAY IN GETTING THE STAFF HIRED?

5

6 **MIKE HENRY:** SUPERVISOR, THE AUDIT REPORT WAS ISSUED I THINK
7 SEPTEMBER 8TH. WE WORKED WITH THE C.E.O. IN SEPTEMBER. WE'VE
8 IDENTIFIED THOSE POSITIONS AND WE WERE IN THE HIRING PROCESS
9 ALMOST IMMEDIATELY.

10

11 **SUP. ANTONOVICH:** WHEN THE BOARD ASKED FOR INVESTIGATIONS,
12 REPORT, ET CETERA GOING BACK MONTHS AND MONTHS AND MONTHS, WHY
13 DIDN'T YOU PREPARE THAT YOU NEEDED TO HAVE AN ADEQUATE
14 INVESTIGATION STAFF? WHY DID YOU HAVE TO WAIT FOR AN
15 INVESTIGATION TO TELL YOU YOU NEEDED TO BEEF UP YOUR
16 INVESTIGATION STAFF? THAT'S WHY I DON'T UNDERSTAND.

17

18 **MIKE HENRY:** SUPERVISOR, WE DON'T DISAGREE WITH YOU. THE UNIT
19 WAS UNDERSTAFFED. IT LACKED TRAINING IN PROCEDURES. WE BELIEVE
20 THAT WE HAVE IMPLEMENTED THOSE PROCEDURES AND TRAINING AND
21 FULLY STAFFED IT.

22

23 **SUP. ANTONOVICH:** SO HAVE DETAILED OPERATIONAL PROCEDURES NOW
24 BEEN ESTABLISHED TO PREVENT THE KIND OF SUBSTANDARD



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 PERFORMANCE THE DIRECTOR OF PERSONNEL REPORTS AND THE AUDITOR-
2 CONTROLLER HAS REPORTED TO THE BOARD?

3

4 **MIKE HENRY:** YES, WE BELIEVE SO.

5

6 **SUP. ANTONOVICH:** AND HAS A DETAILED PLAN FOR EVALUATING OTHER
7 COUNTY DEPARTMENTS BEEN DEVELOPED?

8

9 **MIKE HENRY:** YES, IT HAS, SUPERVISOR.

10

11 **SUP. ANTONOVICH:** SO ALL COUNTY DEPARTMENTS NOW HAVE IN THEIR
12 PROTOCOL THE IMPLEMENTATION OF A CRIMINAL INVESTIGATION?

13

14 **MIKE:** THEY HAVE IT BASED ON THE 1998 ORDINANCE, BUT WE HAVE
15 ADDITIONAL INFORMATION THAT WE WILL BE GIVING THEM OVER THE
16 NEXT MONTH.

17

18 **SUP. ANTONOVICH:** DID THE 1998 ORDINANCE REQUIRE CRIMINAL
19 BACKGROUND INVESTIGATIONS?

20

21 **MIKE HENRY:** YES, IT DID, SUPERVISOR. IT WAS VERY SPECIFIC.

22

23 **SUP. ANTONOVICH:** SO USING THE 1998 CRIMINAL BACKGROUND
24 PROTOCOL, THAT IS BEING IMPLEMENTED TODAY BY ALL OF OUR
25 DEPARTMENTS.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **MIKE HENRY:** YES, IT SHOULD BE.

3

4 **SUP. ANTONOVICH:** NO, NO, NO, IS IT OR ISN'T IT? YOU'RE THE
5 HEAD OF HUMAN RESOURCES.

6

7 **MIKE HENRY:** I UNDERSTAND. BUT THIS IS BIG COUNTY.

8

9 **SUP. ANTONOVICH:** HAVE THEY REPORTED TO YOU THAT IT IS? YOU'VE
10 ASKED EACH OF OUR DEPARTMENTS ARE YOU IMPLEMENTING THE
11 PROTOCOL THAT'S BEEN ESTABLISHED FOR THE PAST 10 YEARS?

12

13 **MIKE HENRY:** YES. WE HAVE. AND MATTER OF FACT, WE SENT A MEMO
14 OUT NOVEMBER OF '07 REMINDING DEPARTMENTS OF THAT PARTICULAR
15 PROTOCOL.

16

17 **SUP. ANTONOVICH:** BUT HERE YOU HAD THE DEPARTMENT OF HEALTH.
18 THEY WEREN'T DOING THAT.

19

20 **MIKE HENRY:** WELL, WHAT THE DEPARTMENT OF HEALTH -- WHAT WE
21 LOOKED AT IN THE DEPARTMENT OF HEALTH HAD ACTUALLY HAPPENED IN
22 THE SUMMER OF '07. BUT, AGAIN, THEY HAD THE 1998 POLICY WHICH
23 THEY DIDN'T FOLLOW.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. ANTONOVICH:** I REALLY THINK THERE'S A DISCONNECT THAT WE
2 REALLY DON'T KNOW WHAT THE DEPARTMENTS ARE DOING. AND WHEN WE
3 SEND OUT A MEMO, WE DON'T KNOW IF IT'S BEING ABIDED BY. AND
4 AGAIN IT TOOK A MRS. RAMIREZ TO BRING THIS ALL TO A HEAD. AND
5 IT'S TRAGIC THAT IT TAKES THAT. THAT SHOULD BE PART OF OUR
6 NORMAL PROCEDURE OPERATIONS. THOSE ARE MY QUESTIONS, MADAME
7 CHAIR.

8

9 **SUP. BURKE, CHAIR:** ALL RIGHT OTHER QUESTIONS? OTHER QUESTIONS?

10

11 **SUP. ANTONOVICH:** I HAVE A MOTION. I'D MOVE THAT THE BOARD
12 DIRECT THE C.E.O. TO REPORT BACK IN TWO WEEKS ON THE ACTIONS
13 THAT HAVE BEEN OR WILL BE TAKEN TO ADDRESS THE FOLLOWING: ONE,
14 ITEMS ESTABLISHED IN THE DEPARTMENT OF HEALTH SERVICES AND
15 ITEMS FILLED OR STAFFED BY EXISTING PERSONNEL TO PROCESS
16 CRIMINAL BACKGROUND INVESTIGATIONS. TWO, OPERATIONAL
17 PROCEDURES TO ESTABLISH D.H.S. TO ENSURE COMPLIANCE WITH THE
18 BOARD'S ADOPTED RESOLUTION UPDATED ON NOVEMBER 2ND, 2007 ON
19 THE DESIGNATION OF SENSITIVE POSITIONS AND REQUIREMENTS FOR
20 CRIMINAL HISTORY INFORMATION. THESE PROCEDURES SHOULD INCLUDE
21 BOTH JOB NEXUS DETERMINATIONS AND DETERMINATIONS ON EMPLOYEES'
22 SUITABILITY FOR EMPLOYMENT PHASE ONE AND PHASE TWO, REFERENCED
23 IN THE DIRECTOR OF PERSONNEL'S REPORT. THREE, OPERATIONAL
24 PROCEDURES ESTABLISHED AT DEPARTMENT OF HEALTH SERVICES TO
25 ENSURE APPROPRIATE AND TIMELY COMMUNICATION WITH HOSPITAL



**The Meeting Transcript of
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1 C.E.O.S AND PROGRAM DIRECTORS OR THEIR DESIGNEES REGARDING ALL
2 DETERMINATIONS AND FINDINGS REGARDING EMPLOYEES THAT REQUIRE A
3 CRIMINAL BACKGROUND INVESTIGATION. THE REPORT SHOULD INCLUDE
4 TIME FRAMES FOR POSSESSING BACKGROUND INVESTIGATIONS. FOUR,
5 ACTIONS THAT WILL BE TAKEN TO EVALUATE COUNTYWIDE COMPLIANCE
6 WITH CRIMINAL BACKGROUND INVESTIGATION REQUIREMENTS. AND FIVE,
7 THE DISPOSITION AND IMPLEMENTATION STATUS OF THE
8 RECOMMENDATIONS MADE BY THE DIRECTOR OF PERSONNEL WOULD BE MY
9 MOTION.

10

11 **SUP. BURKE, CHAIR:** ALL RIGHT. ARNOLD SACHS?

12

13 **SUP. MOLINA:** MAY I ASK? OKAY MIKE, ON THESE PEOPLE THAT WERE
14 DOING THE WORK BEFORE, HAVE THEY BEEN TRAINED ON LIFE SCAN?

15

16 **MIKE HENRY:** THEY WERE SUPPOSED TO BE CERTIFIED?

17

18 **SUP. MOLINA:** WERE THEY TRAINED ON LIFE SCAN?

19

20 **MIKE HENRY:** THE PEOPLE WHO WERE DOING THE LIFE SCAN?

21

22 **JIM JONES:** IT IS MY UNDERSTANDING THAT THEY WERE PREPARED TO
23 DO THE WORK.

24

25 **SUP. MOLINA:** WERE THEY TRAINED ON LIFE SCAN?



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **JIM JONES:** I COULD NOT ANSWER THAT AFFIRMATIVELY.

3

4 **SUP. MOLINA:** WELL THEN HOW DO YOU KNOW? IF YOU DON'T KNOW IF
5 THEY WERE TRAINED, HOW ARE YOU GOING TO KNOW HOW TO DO THESE
6 ONES? I MEAN WHAT'S GOING TO MAKE IT HAPPEN NOW?

7

8 **MIKE HENRY:** WE KNOW WHAT TRAINING THEY'RE SUPPOSED TO HAVE.

9

10 **SUP. MOLINA:** I KNOW. BUT DID THE OTHERS HAVE THE TRAINING?

11

12 **MIKE HENRY:** WE CAN'T ANSWER THAT. WE DON'T KNOW IF THEY WERE
13 TRAINED OR NOT.

14

15 **SUP. MOLINA:** WHY DON'T YOU KNOW? IT'S SOMETHING VERY SIMPLE.
16 SO THESE PEOPLE WHO WERE HANDLING THESE LIFE SCAN RECORDS, YOU
17 DON'T KNOW IF THEY WERE EVER TRAINED TO HANDLE THEM OR NOT?

18

19 **MIKE HENRY:** MAYBE THE BEST WAY TO ANSWER THAT IS THAT GIVEN
20 WHAT THEY HAD IN THE FILE AND WHAT WE FOUND IN THE AUDIT, IF
21 THEY WERE TRAINED, THEY WEREN'T FOLLOWING THEIR TRAINING.
22 BECAUSE THEY DID NOT HAVE THE INFORMATION IN THE RECORDS THAT
23 THEY SHOULD HAVE HAD TO MAKE THE JOB NEXUS DETERMINATION ON
24 THE 152 CASES.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** WHAT OTHER JOBS DID THEY HAVE? WHAT OTHER WORK
2 DID THEY HAVE BESIDES TO DO LIFE SCAN WORK?

3

4 **MIKE HENRY:** I DON'T KNOW WHAT THEIR OTHER ASSIGNMENTS WERE.

5

6 **SUP. MOLINA:** WHICH MEANS THAT THEY WERE INSUBORDINATE, RIGHT?

7

8 **MIKE HENRY:** I'M SORRY?

9

10 **SUP. MOLINA:** WHICH WOULD MEAN THEY'RE INSUBORDINATE.

11

12 **SUP. BURKE, CHAIR:** DO YOU WANT TO RESPOND?

13

14 **MIKE HENRY:** SUPERVISOR, THERE WAS ONLY ONE EMPLOYEE WHO WAS
15 ASSIGNED TO HANDLE ALL THE LIVE SCANS FOR THE DEPARTMENT OF
16 HEALTH SERVICES.

17

18 **SUP. MOLINA:** AND THEY WEREN'T FOLLOWING THE PROCEDURES. WERE
19 THEY TRAINED?

20

21 **MIKE HENRY:** I DON'T BELIEVE THEY WERE TRAINED.

22

23 **SUP. MOLINA:** WHY WERE THEY NOT TRAINED? SO YOU ASSIGNED
24 SOMEBODY TO HANDLE A DEPARTMENT OF JUSTICE CRIMINAL RECORD



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 WITH ALL OF THE LEGAL SENSITIVITY TO IT WHO DID NOT KNOW WHAT
2 TO DO.

3

4 **MIKE HENRY:** SUPERVISOR, THAT WAS BEFORE MY TIME.

5

6 **SUP. MOLINA:** I KNOW. BUT IT'S NOT BEFORE MY TIME.

7

8 **MIKE HENRY:** I WANT TO ANSWER YOUR QUESTION. IT WOULD APPEAR --

9

10 **SUP. MOLINA:** SO THE DEPARTMENT HAS DELEGATED THIS AUTHORITY TO
11 YOU. SO WHAT ASSURANCES ARE YOU GOING TO PROVIDE ME THAT
12 YOU'RE GOING TO ASSIGN SOMEBODY THAT KNOWS WHAT THEY'RE DOING?

13

14 **MIKE HENRY:** SUPERVISOR, THE STAFF HAS BEEN WORKING WITH D.H.R.
15 OVER THE LAST SIX WEEKS. THEY THINK THE STAFF IS FULLY UP TO
16 SPEED. WE'LL MAKE SURE THAT THEY HAVE EVERY TRAINING.

17

18 **SUP. MOLINA:** SO WHO WILL BE IN CHARGE OF IT?

19

20 **MIKE HENRY:** THERE IS A SECTION MANAGER NAMED JEFF SCHUA.

21

22 **SUP. MOLINA:** AND JEFF SCHUA, HAS HE BEEN TRAINED IN THE
23 PROTOCOLS OF LIFE SCANS?

24

25 **MIKE HENRY:** SUPERVISOR, HE STARTED LAST WEEK.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. MOLINA:** HAS HE BEEN TRAINED IN THE PROTOCOLS OF LIFE
3 SCAN?

4

5 **MIKE HENRY:** I DON'T KNOW THE ANSWER TO THAT QUESTION.

6

7 **SUP. MOLINA:** WHY DID YOU HIRE HIM IF HE DOESN'T KNOW WHAT HE'S
8 DOING IN LIFE SCAN?

9

10 **MIKE HENRY:** HE HAS EXPERIENCE AS A HUMAN RESOURCE MANAGER.

11

12 **SUP. MOLINA:** EXPERIENCE IN WHAT?

13

14 **MIKE HENRY:** HE'S FROM THE DEPARTMENT OF PUBLIC WORKS. HE HAS
15 EXPERIENCE IN HUMAN RESOURCES.

16

17 **SUP. MOLINA:** WHAT DOES HE DO IN PUBLIC WORKS? DOES HE DO
18 CLASSIFICATIONS?

19

20 **MIKE HENRY:** I'M SORRY, SUPERVISOR.

21

22 **SUP. MOLINA:** GUYS, YOU KNOW, THESE ARE NOT HARD QUESTIONS
23 HERE. I THINK MY STAFF ASKED ALL OF THESE QUESTIONS. SO
24 THEY'RE NOT NEW TO YOU.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **MIKE HENRY:** SUPERVISOR, THE NEW MANAGER HAS THREE YEARS OF
2 EXPERIENCE IN PERFORMANCE MANAGEMENT.

3

4 **SUP. MOLINA:** BUT NOTHING ON LIFE SCAN?

5

6 **SPEAKER:** NOT SPECIFICALLY -- HE DIDN'T DEAL SPECIFICALLY WITH
7 LIFE SCANS. HE HAS BEEN -- HE DOES HAVE THE PERFORMANCE
8 MANAGEMENT EXPERIENCE AND HE HAS, SINCE HE'S ARRIVED THURSDAY,
9 HE'S BEEN WORKING WITH D.H.R. TO GET UP TO SPEED.

10

11 **SUP. MOLINA:** I KNOW. BUT WE HAVE A LOT OF PEOPLE WHO HAVE
12 HUMAN RESOURCES EXPERIENCE. BUT FOR SOME REASON, THERE ARE
13 SOME VERY, VERY SPECIFIC PROCEDURES AND PROTOCOLS FOR LIFE
14 SCAN, RIGHT? AND THEY'RE NOT OURS. THEY'RE THE FEDERAL
15 GOVERNMENT'S, AS I UNDERSTAND IT. DEPARTMENT OF JUSTICE ONES,
16 RIGHT? AS TO HOW YOU HANDLE THE RECORD.

17

18 **MIKE HENRY:** YES. THERE ARE COUNTY PROCEDURES AND THERE ARE
19 D.O.J.

20

21 **SUP. MOLINA:** OH, THERE'S COUNTY PROCEDURES, AS WELL.

22

23 **JIM JONES:** THAT'S CORRECT. IN FACT, SUPERVISOR --

24

25 **SUP. MOLINA:** THERE WERE ALWAYS COUNTY PROCEDURES?



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **JIM JONES:** YES, THERE WERE.

3

4 **SUP. MOLINA:** ALL RIGHT. BUT THIS PERSON HAD NOT BEEN TRAINED.

5 AND THIS GENTLEMAN, DOES HE DO ANY LIFE SCANS? I'M SURE HE

6 DOES BECAUSE THEY'VE GOT ENGINEERS. THEY'VE GOT ALL KINDS OF

7 PEOPLE OVER THERE. SO DOES HE DO LIFE SCANS?

8

9 **SPEAKER:** NO. THAT WAS A SEPARATE UNIT THAT HANDLED THE LIFE

10 SCANNING OVER AT PUBLIC WORKS.

11

12 **SUP. MOLINA:** LET ME JUST SAY, AND I SAID THIS TO YOU MIKE. I

13 MEAN, WHY SHOULD I TRUST IT NOW?

14

15 **MIKE HENRY:** SUPERVISOR, LET ME JUST EXPLAIN ONE THING THAT

16 MIGHT HELP?

17

18 **SUP. MOLINA:** MIGHT HELP. ALL RIGHT.

19

20 **MIKE HENRY:** WE, IN OUR INVESTIGATION, IN OUR AUDIT, WE

21 ACTUALLY PUT TOGETHER A CHECK OFF LIST TO MAKE IT VERY SIMPLE

22 FOR AN EMPLOYEE TO BE ABLE TO FIND THE LIFE SCAN PROTOCOL. AS

23 A MATTER OF FACT, I HAVE A COPY OF IT HERE.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** IT'S NOT HARD TO FIND A LIFE SCAN PROTOCOL
2 BECAUSE YOU CAN GO TO THE INTERNET AND IT'S AVAILABLE TO YOU.
3 SO THAT'S NOT A HARD THING. I MEAN YOU COULD PUT A BLIND MOUSE
4 AND HE COULD FEEL HIS WAY TO WHAT TO DO. BUT THEY DIDN'T DO IT
5 BEFORE SO WHY ARE THEY GOING TO DO IT NOW?

6

7 **SPEAKER:** SUPERVISOR, WE ARE COMMITTED TO -- WE ALREADY HAVE
8 SHORED UP THE PROCESS, REVIEW PROCESS AND WE'RE FOLLOWING
9 PROTOCOLS.

10

11 **SUP. MOLINA:** I GET THOSE ASSURANCES ALL THE TIME. YOU WANT
12 MORE PEOPLE TO DO THIS. I MEAN, YOU'VE HAD THESE PEOPLE
13 WORKING. I MEAN WE'RE GOING TO HAVE LIABILITY ISSUES WITH
14 THIS. I DON'T UNDERSTAND WHY I SHOULD TRUST IT. I MIGHT EVEN
15 THROW YOU FOR A COUPLE OF LOOPS ON SOME OF THEM. I BET YOU
16 DON'T KNOW -- I BET RIGHT NOW YOU CANNOT FIGURE OUT HOW MANY
17 L.A. COUNTY U.S.C. EMPLOYEES HAVE BEEN VIOLATED UNDER THIS
18 LIFE SCAN PROCEDURE.

19

20 **SPEAKER:** HOW MANY HAVE BEEN VIOLATED? HOW MANY HAVE JOB
21 NEXUSES?

22

23 **SUP. MOLINA:** SURE. IF I'M WORKING NEXT TO A RAPIST, I WOULD BE
24 CONSIDERED BEING VIOLATED.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SPEAKER:** I DON'T HAVE NUMBERS. I DON'T HAVE THAT INFORMATION.

2

3 **SUP. MOLINA:** THAT'S THE ISSUE. SO YOU GUYS KEEP -- IT'S LIKE A

4 BAD WALTZ, MAN. I DON'T UNDERSTAND WHY I'M SUPPOSED TO NOW

5 TRUST THIS IS HAPPENING. NOW, MY STAFF ASKED THESE QUESTIONS.

6 I DON'T THINK THEY'RE HARD QUESTIONS. I DON'T UNDERSTAND WHY

7 YOU'RE HIRING SOMEONE WITH NO EXPERIENCE WITH LIFE SCAN. I

8 DON'T UNDERSTAND WHY THIS PERSON IS GOING TO BE ANY DIFFERENT

9 THAN THE OTHER PERSON. THE OTHER PERSON WAS ALSO AN H.R.

10 EXPERT, RIGHT? RIGHT? THE PERSON THAT YOU DISCIPLINED?

11

12 **SPEAKER:** SHE HAS EXPERIENCE IN VARIOUS AREAS OF HUMAN

13 RESOURCES. I BELIEVE THAT -- WELL SHE WAS FOLLOWING --

14 REVIEWING, I DON'T KNOW. YOU KNOW WHAT? I'M TRYING TO ANSWER A

15 QUESTION BECAUSE I'VE JUST BEEN THERE FOR FIVE MONTHS SO I

16 DON'T KNOW.

17

18 **SUP. MOLINA:** BUT IT'S NOT THAT HARD TO FIND OUT. ALL YOU HAVE

19 TO KNOW IS HOW MANY LIFE SCANS DID SHE REVIEW? NONE. WAS SHE

20 RESPONSIBLE FOR IT? YES. SHOULD SHE CONTINUE TO DO THIS WORK?

21 NO. SHE SHOULD BE WALTZED OUT THE FRONT DOOR. THAT'S NOT GOING

22 TO HAPPEN. YOU'RE GOING TO ASSIGN HER TO DO OTHER THINGS LIKE

23 CLASSIFICATIONS OR SOMETHING ELSE, RIGHT?

24

25 **MIKE HENRY:** SHE WILL BE ASSIGNED ELSEWHERE, THAT'S CORRECT.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. MOLINA:** THAT'S RIGHT. SHE'S GOING TO DO PHARMACEUTICALS
3 OR SOMETHING LIKE THAT, RIGHT?

4

5 **SPEAKER:** NO, I DON'T THINK THAT.

6

7 **SUP. MOLINA:** THESE ARE ASSURANCES THAT WE SHOULD BE GETTING.
8 I'M BEING SO DRAMATIC BECAUSE IT'S SO SERIOUS. ALL RIGHT? IT'S
9 SO VERY SERIOUS. THESE ARE NOT EVEN OUR RECORDS. THESE ARE
10 FEDERAL GOVERNMENT RECORDS. THIS IS DEPARTMENT OF JUSTICE
11 RECORDS THAT HAVE A PROTOCOL THAT ARE NOT THAT DIFFICULT TO
12 FIND. WE HAVE EMPLOYEES WHOSE JOB IT IS TO DO IT AND THEY
13 DON'T DO IT. AND ALL OF YOU SAY "WELL LET'S MOVE HER ASIDE.
14 LET'S FIND ANOTHER PERSON FROM THIS OTHER DEPARTMENT TO DO
15 IT." NOW HE DOESN'T KNOW HOW TO DO IT. HE DOESN'T EVEN KNOW
16 WHAT IT IS. BUT HE DOES KNOW HOW TO DO PERFORMANCE AUDITING OR
17 PERFORMANCE MANAGEMENT. CONSEQUENTLY, HE IS QUALIFIED TO DO
18 IT. ANYBODY'S QUALIFIED TO DO IT. ALL YOU GOT TO DO IS READ
19 PROCEDURE NO. 1. DO THIS. DO THIS. DO THIS. THAT MAKES YOU
20 QUALIFIED IF YOU CAN FOLLOW THE DOTS. BUT THE LAST PERSON
21 DIDN'T FOLLOW THE DOTS. SO WHAT HAPPENS NOW? HOW DO WE KNOW
22 THAT THIS PERSON WHO IS AS EASY AS THAT IS GOING TO DO IT?

23

24 **MIKE HENRY:** SUPERVISOR, WE HAVE ASSIGNED, AS I INDICATED, FOUR
25 STAFF, WE HAVE NEW MANAGEMENT THROUGHOUT.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. MOLINA:** FOUR STAFF HAVE BEEN ASSIGNED TO DO IT? TO FOLLOW
3 THE DOTS. SO WHAT IF THEY DON'T DO IT, THOUGH?

4

5 **MIKE HENRY:** THERE ARE MANAGEMENT REPORTS. THERE ARE NEW
6 SUPERVISORS. WE ARE LOOKING AT IT AT A HIGH LEVEL. I'M LOOKING
7 AT REPORTS. WE ARE COMMITTED TO --

8

9 **SUP. MOLINA:** I GUESS THE ISSUE IS THAT THE AUDITORS LOOKED AT
10 IT. EVERYBODY'S LOOKED AT IT. WE'VE KNOWN ABOUT THIS NOW FOR
11 OVER AT LEAST FOUR MONTHS. AND NOW WE'RE BARELY IN THE PROCESS
12 STARTING TO DO SOMETHING THAT MIGHT HAPPEN IN DECEMBER. IN
13 JANUARY, FEBRUARY, OR MARCH IT'LL BE TOO EARLY TO TELL, OKAY.
14 YOU'RE LOOKING BACK AND YOU'RE LOOKING AT ONLY MARTIN LUTHER
15 KING RECORDS. YOU HAVE NO IDEA WHAT VIOLATION YOU HAVE HAD IN
16 ALL OF THE OTHER HOSPITALS.

17

18 **MIKE HENRY:** NO, SUPERVISOR. EVERYONE WHO IS HIRED OR
19 TRANSFERRED OR PROMOTED IS SUBJECT TO LIFE SCAN ACCORDING TO
20 THE PROCEDURES.

21

22 **SUP. MOLINA:** SO EVERYONE WHO HAS BEEN HIRED AT HIGH DESERT,
23 EVERYONE WHO'S BEEN TRANSFERRED INTO L.A. COUNTY U.S.C. HAS
24 BEEN TESTED.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **MIKE HENRY:** SINCE I THINK THE PROCEDURE TOOK EFFECT IN 1999,
2 YES.

3

4 **SUP. MOLINA:** I KNOW. BUT IN 1999, IT'S BEEN VIOLATED EVER
5 SINCE. SO YOU DON'T KNOW. SO OF THESE LIFE SCAN RECORDS, THIS
6 IS EVERYBODY, RIGHT? THESE ARE ALL THE TRANSFERS, ALL OF THE
7 EMPLOYEES THAT WERE HIRED SINCE 1999. RIGHT? AMY, DID YOU
8 UNDERSTAND THAT? YES, THAT'S WHAT THAT IS.

9

10 **MIKE HENRY:** SUPERVISOR, EVERYONE WHO HAS BEEN HIRED,
11 TRANSFERRED OR PROMOTED SINCE 1999 HAS BEEN LIFE SCANNED. I
12 DON'T THINK ANY OF US CAN ASSURE YOU THAT THE PROCESSING OF IT
13 IN TERMS OF THE COUNTY PROCESSES --

14

15 **SUP. MOLINA:** THAT'S ALL WE CARE ABOUT RIGHT NOW. WE THE REALLY
16 DON'T CARE IF YOU TOOK THEIR FINGERPRINTS. ALL WE WANT TO KNOW
17 NOW IS DID YOU PROCESS THE FINGERPRINTS?

18

19 **MIKE HENRY:** THEY WERE LIFE SCANNED BUT I DON'T THINK ANY OF US
20 CAN GUARANTEE YOU THAT THOSE AT THE OTHER FACILITIES WERE IN
21 FACT TREATED APPROPRIATELY BY HIS POLICY.

22

23 **SUP. MOLINA:** SO YOU DON'T KNOW THAT A NURSE IS NOT WORKING
24 ALONGSIDE A RAPIST. YOU DON'T KNOW THAT.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **MIKE HENRY:** WHAT WE DON'T KNOW IS WHETHER THE H.R. STAFF WHO
2 PROCESSED THOSE BETWEEN 1999 AND THE PRESENT APPROPRIATELY
3 ASSESSED WHAT TO DO.

4

5 **SUP. MOLINA:** AND IT WOULD BE TOO HARD TO GO AND FIND OUT,
6 RIGHT? LIKE MAYBE PULLING A COUPLE OF RECORDS? THAT WOULD BE
7 TOO HARD TO DO TO MAKE AN ASSESSMENT.

8

9 **MIKE HENRY:** YOU CAN ONLY LIFE SCAN UNDER THREE EVENTS.
10 TRANSFER, PROMOTION OR NEW HIRE. YOU CAN'T JUST GO AND LIFE
11 SCAN.

12

13 **SUP. MOLINA:** I UNDERSTAND. BUT YOU KNOW HOW MANY EMPLOYEES AT
14 HIGH DESERT HAVE BEEN LIFE SCANNED. RIGHT NOW YOU KNOW.

15

16 **MIKE HENRY:** THE DEPARTMENT SHOULD KNOW.

17

18 **SUP. MOLINA:** AND YOU KNOW HOW MANY OF THOSE WERE OVERWRITTEN.
19 YOU KNOW THAT NOW. THAT MEANS THEY COMMITTED A CRIME BUT DON'T
20 WORRY, IT DOESN'T AFFECT IT, WHICH IS THE SAME THING THAT
21 HAPPENED IN THESE RECORDS.

22

23 **MIKE HENRY:** THE WAY THE PROCESS WORKS, JUST BECAUSE THERE'S A
24 JOB NEXUS DOESN'T MEAN THAT THE INDIVIDUAL IS NOT EMPLOYABLE.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** I UNDERSTAND.

2

3 **MIKE HENRY:** IT MEANS THEN YOU'VE GOT TO LOOK AT THE OTHER
4 FACTS.

5

6 **SUP. MOLINA:** IT'S MY UNDERSTANDING IN THIS INSTANCE IS THEY
7 WENT THROUGH THIS PROCESS AND SOMEBODY SAID OH NO JOB NEXUS,
8 RIGHT?

9

10 **MIKE HENRY:** WE DIDN'T FIND THAT IN THE RECORD THAT THEY WENT
11 THROUGH THE PROCESS. WHAT WE FOUND IN THE RECORD -- WHAT WE
12 FOUND IN THE RECORD WAS THAT THERE WAS A DETERMINATION THAT
13 THERE WAS NO JOB NEXUS BUT THERE WAS NO DETAIL THAT SHOWED US
14 HOW THEY GOT THERE.

15

16 **SUP. MOLINA:** I KNOW. BUT KEEP IN MIND THAT'S NOT WHAT IT ASKED
17 FOR. ALL IT SAYS, CHECK OFF THE BOX AND WRITE YOUR NAME HERE.
18 I AM JOE SCHMOE FROM HUMAN RESOURCES. I CHECKED THIS BOX AND
19 THIS BOX SAYS THERE IS NO NEXUS. YOU HAVE THAT IN THE PRESENT
20 RECORDS.

21

22 **MIKE HENRY:** YES.

23



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** IT DOESN'T SAY ON THERE "GIVE ME THE NAME, RANK
2 AND SERIAL NUMBER AS TO WHAT HAPPENED". IT DOESN'T SAY THAT ON
3 THE FORM.

4

5 **MIKE HENRY:** NO. BUT WHEN YOU LOOK AT THE 1998 POLICY, THERE
6 WERE SEVEN CATEGORIES THAT WERE IDENTIFIED THAT EMPLOYEES ARE
7 TO BE -- YOU EVALUATE THEM BY. AND IN THOSE CATEGORIES IT HAD
8 SPECIFIC CRIMES THAT IF THEY COMMITTED THAT MEANT THERE WAS A
9 JOB NEXUS. THAT'S HOW WE WERE ABLE TO GO BACK AND LOOK AT '99.

10

11 **SUP. MOLINA:** YOU KNOW, IT'S REALLY NICE FOR YOU TO READ ME THE
12 CODE OF CIVIL PROCEDURE RIGHT NOW. BUT SINCE YOU DIDN'T FOLLOW
13 THE CODE OF CIVIL PROCEDURE BEFORE, IT DOESN'T MATTER NOW.
14 WHAT I'M TRYING TO TELL YOU IS THAT TODAY SINCE 1999 THERE ARE
15 EMPLOYEES AT OLIVE VIEW, HIGH DESERT, L.A. COUNTY U.S.C. THAT
16 HAVE BEEN LIFE SCANNED THAT ARE IN VIOLATION OF THIS CODE.
17 RIGHT NOW. NO OR YES?

18

19 **MIKE HENRY:** THERE ARE EMPLOYEES THAT HAVE BEEN LIFE SCANNED.
20 HAVEN'T LOOKED AT THE RECORDS. THERE'S NO WAY TO TELL WHETHER
21 OR NOT THEY WERE LIFE SCANNED CORRECTLY AND THE ANALYSIS WAS
22 MADE CORRECTLY THAT THEY'RE EMPLOYABLE. BECAUSE THERE'S TWO
23 STEPS TO THE WHOLE LIFE SCAN PROCESS.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** NO, YES, YOU CAN. FIRST OF ALL IT'S MY
2 UNDERSTANDING THAT YOU DO HAVE AN INVENTORY OF EVERYBODY WHO
3 WAS LIFE SCANNED BECAUSE YOU HAVE TO REQUEST IT.

4

5 **MIKE HENRY:** YOU'RE TALKING ABOUT THE D.O.J. THAT COMES
6 THROUGH?

7

8 **SUP. MOLINA:** THAT IS CORRECT?

9

10 **MIKE HENRY:** YOU ONLY CAN KEEP THAT FOR 30 DAYS. THAT HAS TO BE
11 DESTROYED IN 30 DAYS, D.O.J. POLICY. YOU CANNOT KEEP THAT.

12

13 **SUP. MOLINA:** BUT IN PERSONNEL, YOU DO NOT KNOW IF THERE WERE
14 30 LIFE SCAN REQUESTS IN 2006 FOR HIGH DESERT? YOU DON'T KNOW
15 THAT?

16

17 **MIKE HENRY:** THE DEPARTMENT SHOULD KNOW THAT.

18

19 **SUP. MOLINA:** ABSOLUTELY THEY WOULD KNOW THAT.

20

21 **MIKE HENRY:** BUT THEY COULD NOT KEEP THE D.O.J. RECORD, WHICH
22 IS MORE SPECIFIC.

23



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** I UNDERSTAND. BUT IF IT WAS SO INCORRECTLY DONE
2 AT MARTIN LUTHER KING HOSPITAL, WHAT MAKES YOU THINK IT WAS SO
3 APPROPRIATELY DONE AT THE OTHER?

4

5 **MIKE HENRY:** I DON'T.

6

7 **SUP. MOLINA:** THAT'S MY POINT. SO THAT'S THE ISSUE. IS HOW DO
8 YOU KNOW IT'S GOING TO BE DONE CORRECTLY NOW? WE ALL KNOW
9 THERE'S RULES AND THERE'S PROCESSES AND EVERYTHING ELSE. WHAT
10 I GUESS I'M NOT HEARING FROM YOU IS WHAT'S TO TELL ME THAT YOU
11 AREN'T GOING TO SHOW UP BACK HERE SIX MONTHS FROM NOW, I HAVE
12 A NURSE WHO FILED A LAWSUIT BECAUSE SHE WAS RAPED BY HER CO-
13 WORKER WHO IS A CHRONIC RAPIST AND WORKS WITH HER? WHAT IS
14 GOING TO -- HOW IS IT THAT YOU'RE GOING TO SHOW UP AGAIN AND
15 YOU'RE GOING TO TELL ME WELL WE HAVEN'T GOTTEN TO THAT
16 HOSPITAL YET TO IMPLEMENT THIS. SO YOU'RE SAYING TO ME NOW
17 THAT YOU'RE GOING TO HIRE THIS PERSON BUT YOU DON'T KNOW
18 EXACTLY YET HOW YOU'RE GOING TO CREATE A MECHANISM TO PROVIDE
19 ASSURANCES TO ME THAT IT'S GOING TO BE FOLLOWED AND THAT
20 YOU'RE NOT GOING TO BE ABLE TO GO BACK AND PULL ALL OF THE
21 RECORDS FOR EVERYBODY BECAUSE YOU KNOW WHO THEY ARE. ON THEIR
22 PERSONNEL ITEM, THEY CHECKED THAT LITTLE BOX THAT SAID THEY
23 HAVE BEEN CONVICTED OF A FELONY OR A CRIME, RIGHT? SO YOU KNOW
24 WHO THEY ARE. SO MORE THAN LIKELY YOU REQUESTED A LIFE SCAN
25 FOR THAT PERSON. AND IF THEY'RE WORKING THERE TODAY, MORE THAN



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 LIKELY SOMEBODY OVERWROTE IT, RIGHT? THAT SAID "NO
2 RELATIONSHIP" OTHERWISE THEY WOULDN'T BE WORKING THERE.

3

4 **MIKE HENRY:** THAT IS POSSIBLE.

5

6 **SUP. MOLINA:** IT'S ALL TRUE. I MEAN IF YOU FOLLOW THE LITTLE
7 THREAD, IT SHOULD BE VERY EASY. SO WHY CAN'T YOU DO THAT ALL
8 AND HAVE IT READY BY TOMORROW? BE AN EASY THING TO DO. I MEAN
9 I WOULD FEEL MORE ASSURED THAT YOU WERE ON TRACK, GUYS, COME
10 ON.

11

12 **MIKE HENRY:** WELL, WHAT WE'VE DONE TO GIVE SOME ASSURANCE --

13

14 **SUP. MOLINA:** IS CREATE ANOTHER PROCESS THAT TELLS ME THAT IN
15 THE FUTURE THEY'RE GOING TO DO IT.

16

17 **MIKE HENRY:** NO. WE ACTUALLY HAVE THE DOCUMENT THAT TAKES AN
18 INDIVIDUAL STEP-BY-STEP THROUGH THE LIFE SCAN PROCESS.

19

20 **SUP. MOLINA:** AGAIN, MIKE, YOU'VE ALWAYS HAD THAT DOCUMENT.
21 YES, THEY DID. NOW, GRANTED IT WASN'T DRAWN UP ON THE NEW
22 PIECE OF PAPER THAT YOU JUST XEROXED IT ON. BUT IT WAS
23 BASICALLY THE SAME PROCEDURE. IT'S ALWAYS BEEN THE SAME
24 PROCEDURE BECAUSE YOU CAN'T VIOLATE A LIFE SCAN. YOU CAN ONLY



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 DO CERTAIN THINGS WITH IT. WE VIOLATED EVERYTHING. BUT THE
2 PROCEDURE'S ALWAYS BEEN THE SAME.

3

4 **MIKE HENRY:** PRETTY MUCH, YES.

5

6 **SUP. MOLINA:** YEAH. SO THAT'S THE ISSUE.

7

8 **MIKE HENRY:** UNDERSTOOD.

9

10 **SUP. MOLINA:** SO WHY IS IT -- IT'S NOT A HARD QUESTION HERE.
11 NOT A HARD QUESTION. WHY IS IT GOING TO BE DIFFERENT THIS
12 TIME? BECAUSE WE HAVE A NEW PERSON? I DON'T BUY THAT. BECAUSE
13 THIS NEW PERSON IS SO QUALIFIED? I DON'T BUY THAT. WHY IS IT
14 DIFFERENT?

15

16 **MIKE HENRY:** WHAT WE'VE TRIED TO DO TO MAKE IT DIFFERENT IS
17 MAKE A VERY SIMPLE DOCUMENT THAT AN INDIVIDUAL CAN FOLLOW.

18

19 **SUP. MOLINA:** OKAY, THE OTHER PERSON WAS NOT BRIGHT ENOUGH TO
20 FOLLOW THE BASIC PROTOCOLS.

21

22 **MIKE HENRY:** NO, THEY DIDN FOLLOW IT. THEY DID NOT FOLLOW IT.

23

24 **SUP. MOLINA:** NO, THEY DIDN'T. AND WE DON'T KNOW THAT THIS
25 PERSON WILL, EITHER.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **MIKE HENRY:** WE'LL BE ABLE TO TELL A LOT EASIER BECAUSE OF THE
3 DOCUMENT THAT WE HAVE.

4

5 **SUP. MOLINA:** I JUST OUTLINED TO YOU HOW YOU CAN TELL. I KNOW
6 I'M NOT WRONG. YOU COULD GO INTO U.S.C. RIGHT NOW AND PULL THE
7 PERSONNEL RECORDS. IT WOULD BE EASY ENOUGH TO FIND OUT
8 EVERYONE WHO HAS BEEN CONVICTED OF A CRIME. THEY HAD TO HAVE
9 CHECKED OFF THAT BOX. NOW GRANTED, YOU CAN'T DO ANYTHING ABOUT
10 PEOPLE WHO DON'T CHECK OFF THE BOX. BUT YOU DO KNOW THOSE
11 PEOPLE WHO DID CHECK OFF THE BOX. THERE'S GOING TO BE SO MANY
12 OF THEM. AND THEN FROM THAT, YOU CAN DETERMINE MORE OR LESS IF
13 THEY'VE BEEN THERE TWO YEARS OR 15 YEARS OR 17 YEARS AS TO
14 WHETHER YOU REQUESTED A LIFE SCAN. MORE THAN LIKELY THE ONE
15 FROM TWO YEARS AGO OR FOUR YEARS AGO MIGHT HAVE A LIFE SCAN.
16 YOU CAN REQUEST IT AGAIN AND FIND OUT WHAT THAT CRIME WAS AND
17 SEE IN FACT, OR EVEN PULL THE RECORD -- BECAUSE WE HAVE THAT
18 RECORD OF THE NO NEXUS -- AND FIND OUT WHO DID IT. YOU WOULD
19 KNOW A LOT OF THINGS. BUT I GUESS WHAT I'M SAYING IS THAT IT'S
20 LIKE ANYTHING ELSE. WHEN WE AREN'T DOING SOMETHING RIGHT, WE
21 SHOULD TRY AND FIGURE OUT WHAT DID WE DO WRONG? BEFORE WE
22 START TELLING PEOPLE "JUST, HERE DO IT THIS WAY" WHY NOT LOOK
23 AT SOME OF THESE ISSUES? AND I GUESS THAT'S THE THING. IT IS
24 NOT VERY REASSURING TO ME. AND I KNOW YOU ALL WANT TO TELL ME
25 YOU'RE NEW. I'M NEW. JUST STARTED. I'M LOOKING AT IT



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1 DIFFERENTLY. TRUST ME, TRUST ME, TRUST ME. AND YET I DON'T SEE
2 YOU LOOKING BACK. IT WOULD HAVE PROVIDED MUCH MORE ASSURANCES
3 TO ME THAT SAID "WE HAD BEEN DOING THESE THINGS INCORRECTLY.
4 NOW THEY'RE GOING TO BE -- THEY'RE GOING TO HAVE THIS SUPER
5 CHECK OFF BOSS. IT'S GOING TO HAVE A SQUARE HERE THAT NOBODY
6 CAN OVERRIDE UNTIL THE SUPER CHECK OFF BOSS, AND THAT SUPER
7 CHECK OFF BOSS IS GOING TO SAY DID THEY FILL OUT ALL THE BOXES
8 CORRECTLY, DID THEY FOLLOW THE PROTOCOL CORRECTLY, DID THEY DO
9 THIS CORRECTLY? AND IF NOT, BUT YOU'RE NOT TELLING ME THAT.
10 YOU JUST KEEP TELLING ME WE'RE GOING TO DO THIS. THERE'S GOING
11 TO BE AN EASIER PAGE TO FOLLOW. THOSE KIND OF THINGS. THERE'S
12 NO ASSURANCES. I'M NOT GETTING ASSURANCES THAT MIKE HENRY'S
13 GOING TO BE THE SUPER CHECK OFF BOSS. MR. SCHUNHOFF IS. THAT
14 BILL FUJIOKA IS. BUT YOU COULD SEND THEM TO ME. I WOULD BE
15 HAPPY TO BE THE SUPER CHECK OFF BOSS.

16

17 **MIKE HENRY:** ONE OF THE THINGS THAT WE FOUND OUT, SUPERVISOR,
18 IN GOING THROUGH THIS PROCESS IS THAT THE D.H.S. CENTRAL HUMAN
19 RESOURCES STAFF WAS NOT COMMUNICATING WITH THE HOSPITALS OR
20 THE CLINICS IN TERMS OF THESE PARTICULAR LIFE SCAN HITS. AND
21 ONE OF THE THINGS, AS I TALKED TO THE C.E.O. OF L.A.C. U.C.
22 MED CENTER AND I TALKED TO THE C.E.O. OF OLIVE VIEW WHO HAD
23 QUESTIONS ABOUT PARTICULAR CASES AND THEY HADN'T GOTTEN THE
24 ANSWERS. SO ONE OF THE THINGS THAT WE'VE PUT IN THE PROCESS --

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** WHO DIDN'T GET THE ANSWERS?

2

3 **MIKE HENRY:** THEY HAD QUESTIONS ABOUT CERTAIN HIRING OR CERTAIN
4 INDIVIDUALS THEY WERE SENDING THROUGH THE PROCESS.

5

6 **SUP. MOLINA:** WELL IF THEY CAN'T GET THE ANSWER, THEN WHO CAN?
7 THAT'S PRETTY PATHETIC.

8

9 **MIKE HENRY:** ONE PIECE OF THE PROCESS THAT WAS NOT IN THE
10 PROCESS BEFORE IS THAT THERE HAS TO BE SOME CONNECTION MADE
11 WITH THE MANAGER WHO IS DOING THE HIRING. BECAUSE TO A LARGE
12 EXTENT THERE WAS A VACUUM THERE THAT THE CENTRAL STAFF WAS
13 DOING THIS WHOLE LIFE SCAN PROCESS IN THE A VACUUM AND THEY
14 WOULD ONLY SEND THE RESULTS OUT BACK TO THE FACILITIES THAT
15 WERE TRYING TO HIRE THE FOLKS. THEY WERE NOT COMMUNICATING
16 WITH THEM. AND SO WE HAVE PUT THAT INTO THIS PARTICULAR
17 PROCESS.

18

19 **SUP. MOLINA:** WELL, AS I UNDERSTAND, AND CORRECT ME IF I'M
20 WRONG, IT WAS THEIR OWN DEPARTMENT, THEIR OWN H.R. PERSON WHO
21 WAS APPROVING THESE THINGS. SO IT WASN'T A CENTRAL.

22

23 **MIKE HENRY:** THERE WAS SOME EVIDENCE OF THAT.

24



**The Meeting Transcript of
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1 **SUP. MOLINA:** BECAUSE I SAW SOME OF THESE RECORDS. AND IT WAS
2 CLEARLY THE PERSON IN H.R. IN THAT HOSPITAL WHO WAS -- THE
3 ONES I SAW WERE EXACTLY THAT. SO IT'S NOT LIKE A WHOLE LOT OF
4 COMMUNICATION FROM CENTRAL. THEY WERE BEING OVERRIDDEN BY
5 THEIR OWN H.R. PEOPLE.

6

7 **MIKE HENRY:** AT THE HOSPITAL?

8

9 **SUP. MOLINA:** YES, AT THE HOSPITAL. AM I INCORRECT?

10

11 **SPEAKER:** NO. WHAT HAPPENS IS THE SCANNING IS DONE AT THE
12 FACILITY. AND IF THEY'RE CLEARED, THEN THEY ARE INFORMED BY
13 THE PERSON AT THE FACILITY. IF THERE IS A HIT, THE DOCUMENTS
14 COME DOWN TO PERFORMANCE MANAGEMENT FOR FURTHER REVIEW AND
15 ANALYSIS.

16

17 **SUP. MOLINA:** BUT THE OVERRIDE?

18

19 **DR. JOHN SCHUNHOFF:** BUT, SUPERVISOR, YOU'RE CORRECT FROM SOME
20 YEARS AGO.

21

22 **SUP. MOLINA:** THERE WAS OVERRIDE DOWN AT THE HOSPITAL ITSELF.
23 IT'S NOT DONE AT CENTRAL.

24

25 **MIKE HENRY:** RIGHT.



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1

2 **DR. JOHN SCHUNHOFF:** SUPERVISOR, SOME YEARS AGO WHEN THE H.R.
3 WAS MORE DECENTRALIZED, WE DO HAVE LETTERS, AND WE'VE
4 DISCUSSED THEM WHERE THE H.R. MANAGERS AT THE HOSPITAL SIGNED
5 OFF ON THAT THERE'S NO NEXUS. THAT'S NOT THE PROCESS NOW.

6

7 **SUP. MOLINA:** WELL, I DON'T KNOW. I'M TIRED OF GOING AROUND IN
8 CIRCLES AND CIRCLES. THAT'S ALL I DO EVERY TIME THIS COMES UP.
9 BUT I GUESS THE MOST DISAPPOINTING PART IS NOT GETTING ANY
10 ASSURANCES THAT THIS IS THE FIX. I GUESS WE'LL ALL SEE EACH
11 OTHER SOON AND GO THROUGH THIS AGAIN. REALLY DISCOURAGING.

12

13 **C.E.O. FUJIOKA:** IF I CAN COMMENT?

14

15 **SUP. MOLINA:** SURE.

16

17 **C.E.O. FUJIOKA:** IF YOU LOOK AT THIS ENTIRE ISSUE AND HOW IT'S
18 PROGRESSED FROM THE POINT IN TIME WHERE THE DEPARTMENT READILY
19 ADMITS THAT THE PROCESS WASN'T STRONG AND THAT THERE WERE, IF
20 NOT INCONSISTENCIES, BUT SOME WEAKNESSES THE PROCESS, WHAT
21 THEY'VE DONE THROUGH THESE THREE DIFFERENT OFFICES, AND WE
22 WERE VERY MUCH INVOLVED WITH THIS, GREG POPE FROM OUR OFFICE,
23 IS PUT TOGETHER A PROCESS THAT IS MUCH STRONGER. AT THIS POINT
24 IN TIME TO SAY IT'S NOT GOING TO WORK WITHOUT GIVING IT THE
25 OPPORTUNITY IS SOMETHING THAT I WOULD HOPE WOULDN'T HAPPEN.



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1 THERE ARE FOUR PEOPLE DEDICATED TO THIS. WE'VE HAVE IDENTIFIED
2 AN INDIVIDUAL. MAYBE HE HASN'T HAD THE SPECIFIC TRAINING YET
3 IN LIFE SCAN. BUT HEARING YOUR COMMENTS, I'M SURE THEY'RE
4 GOING TO SCHEDULE THAT RIGHT AWAY TO MAKE SURE.

5

6 **SUP. MOLINA:** SOMETIME IN DECEMBER, MAYBE.

7

8 **C.E.O. FUJIOKA:** THAT WOULD BE A GOOD TIME. I AGREE WITH YOU.

9

10 **SUP. MOLINA:** NEXT YEAR SOMETIME.

11

12 **C.E.O. FUJIOKA:** AND THAT WILL HAPPEN.

13

14 **SUP. MOLINA:** INSTEAD OF TOMORROW.

15

16 **C.E.O. FUJIOKA:** IF WE JUST COMPARE WHAT IS IN PLACE NOW WITH
17 THESE FOUR INDIVIDUALS AND SOMEONE DEDICATED TO THIS FUNCTION
18 VERSUS WHAT WAS THERE EVEN A MONTH AGO LET ALONE THE LAST FEW
19 YEARS, THIS DOES REPRESENT A SIGNIFICANT IMPROVEMENT. AND WHAT
20 WE SHOULD BE DOING IS HOPEFULLY ASKING THEM TO COME BACK
21 THROUGH A PERIODIC BASIS, MAYBE QUARTERLY IF NOT -- AT LEAST
22 QUARTERLY TO COME BACK AND REPORT OR SEND THE BOARD A WRITTEN
23 REPORT. BUT THIS DOES REPRESENT A SIGNIFICANT IMPROVEMENT.

24



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1 **SUP. MOLINA:** WELL, I WOULD WELCOME THE REPORT. BUT MR.
2 FUJIOKA, I GUESS LIKE ANYTHING ELSE, WE'RE NOT SUPPOSED TO
3 MICROMANAGE, WE'RE SUPPOSED TO TRUST THE DEPARTMENTS TO DO
4 WHAT THEY'RE SUPPOSED TO BE DOING. BUT WHEN YOU FIND OUT THAT
5 YOU HAD PEOPLE DOING WHAT THEY'RE DOING, THEY'RE NOT FOLLOWING
6 THEIR OWN BASIC POLICIES, THEIR OWN BASIC RULES, THEN IT'S
7 HARD FOR ME TO CONTINUE TO JUST BLINDLY TRUST. AND THAT'S WHAT
8 I'M SAYING. THERE ISN'T ANY ASSURANCES HERE THAT THESE FOUR
9 PEOPLE ARE ANY DIFFERENT THAN THE LAST FOUR PEOPLE. THERE'S NO
10 ASSURANCES HERE THAT THIS DIRECTOR IS ANY DIFFERENT THAN THE
11 LAST ONE. SO I WOULD HOPE THAT -- AND WHY I'M BEING SO VOCAL
12 IS BECAUSE I'M TRYING TO MAKE A VERY STRONG STATEMENT THAT
13 THEY BETTER WATCH WHAT'S GOING ON. AND I REALLY THINK YOU
14 SHOULD LOOK AT THE OTHER HOSPITALS IMMEDIATELY. BECAUSE IF YOU
15 HAD THIS MANY VIOLATIONS IN ONE FACILITY AND YOU HAD THE SAME
16 KIND OF LAX H.R., THEN YOU'RE GOING TO HAVE IT EVERYWHERE
17 ELSE. AND I THINK WHOEVER IS AT ALL OF THESE OTHER HOSPITALS
18 HAVE GOT TO FIGURE OUT THIS IS VERY SHAMEFUL FOR ALL OF US.
19 BUT AGAIN TRY ME IN A COUPLE OF MONTHS AND WE'LL FIND OUT "OH,
20 THEY DIDN'T GET THE TRAINING. THEY WERE ON JURY DUTY. THAT
21 PERSON DIDN'T GET THE DOT-TO-DOT MAP." THERE WILL BE REASONS,
22 I'M SURE, THAT I'M SUPPOSED TO ACCEPT AND SAYING THAT'S OKAY.
23 I THINK THE REASON IN THIS INSTANCE THAT THERE'S A LOT OF
24 THINGS THAT HAPPENED IN THE BUREAUCRACY, BUT MY GOODNESS, THIS
25 IS ONE THAT HAS AN ABSOLUTE, ABSOLUTE PROTOCOL FROM THE



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1 FEDERAL GOVERNMENT THAT SHOULD NOT BE VIOLATED BY ANYBODY. WE
2 CAN GET IN TROUBLE FOR VIOLATING THESE. I LOOK FORWARD TO
3 THREE MONTHS FROM NOW WHEN MR. FUJIOKA SAYS I SHOULD LOOK
4 UNDER YOUR SKIRTS AGAIN. MAYBE IT WON'T BE AS UGLY.

5

6 **SUP. BURKE, CHAIR:** DO WE HAVE A MOTION AND SECOND.

7

8 **SUP. ANTONOVICH:** YOU HAVE PUBLIC SPEAKERS.

9

10 **SUP. BURKE, CHAIR:** WE HAVE ONE SPEAKER. MR. SACHS? AND WHILE
11 YOU'RE UP HERE, MAYBE YOU COULD ADDRESS ONE OF THE OTHER
12 ITEMS. I THINK YOU'RE ALSO ON 24, IS IT? OR 33? ON 33 I KNOW
13 YOU HAVE, OKAY. ALL RIGHT. WOULD YOU ADDRESS THIS ONE AND THEN
14 ALSO 33?

15

16 **ARNOLD SACHS:** I WILL CERTAINLY DO THAT, MA'AM. THANK YOU.
17 ARNOLD SACHS. WELL, YOU'VE SUCCESSFULLY THROWN EVERYBODY UNDER
18 THE BUS. ANYBODY ELSE BACK THERE THAT YOU CAN TOSS UNDER
19 THERE?

20

21 **SUP. ANTONOVICH:** JUST YOU, ARNOLD.

22

23 **ARNOLD SACHS:** THANK YOU. JUST TO CLARIFY SOMETHING FOR YOU,
24 SUPERVISOR ANTONOVICH, IT WASN'T THE LADY'S DEATH. IT WAS THE
25 FAILURE OF THE HOSPITAL TO IMPROVE AFTER SEVEN DIFFERENT --



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1

2 **SUP. ANTONOVICH:** IT GOES ALL THE WAY BACK TO THE BEGINNING.

3

4 **ARNOLD SACHS:** SEVEN DIFFERENT INSPECTIONS THAT SOMEBODY
5 FINALLY CALLED THE COUNTY'S BLUFF AND PULLED THE \$300,000
6 FUNDING. THE DEATH WAS JUST THE ICING ON THE CAKE. AND THEN
7 YOU ALSO HAD THE METRO REPORT FROM DR. CHERNOF. AND HOW MANY
8 TIMES IT WAS CONTINUED BY THE COUNTY BOARD, I DON'T KNOW.
9 MAYBE A DOZEN? AT LEAST MINIMUM BEFORE YOU DECIDED THAT THE
10 REPORT THAT HE WAS SUPPOSED TO PUT TOGETHER, THE FOOTPRINT
11 THAT METRO REPORTED WAS GOING TO EXPOSE ALL THE INEFFICIENCIES
12 AT KING-DREW MEDICAL CENTER PROVED TO BE A BIG DONUT HOLE,
13 BECAUSE EVERYTHING CAME AFTER THE METRO REPORT WAS SUPPOSED TO
14 HAVE BEEN -- THE METRO PLAN WAS SUPPOSED TO HAVE BEEN PUT INTO
15 EFFECT. SO LET'S NOT BE SO RASH TO THROW EVERYBODY UNDER THE
16 BUS AND EXCLUDE YOURSELVES FROM THIS DISCUSSION. HOW MANY
17 TIMES DID YOU PUT OFF HEARING REPORTS FROM DR. CHERNOF AND THE
18 CHIEF OF STAFF AND FROM ANTOINETTE EPPS? AND HOW MANY TIMES
19 YOU WERE ASKED ABOUT REPORTS REGARDING THE STATUS OF KING-DREW
20 MEDICAL CENTER.

21

22 **SUP. ANTONOVICH:** ARNOLD, WHAT YOU FAIL TO UNDERSTAND IS THAT
23 ISSUE IS DISCUSSED ALMOST DAILY BY THE FIVE SUPERVISORS AND
24 THEIR STAFFS AND THE DEPARTMENT. SO JUST BECAUSE YOU DIDN'T
25 HEAR SOMEBODY AT THIS MEETING SAY SOMETHING, DIDN'T MEAN THAT



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1 DIALOG WAS NOT GOING ON, ALONG WITH THE C.E.O., ALONG WITH
2 OTHER ELECTED OFFICIALS AT THE STATE AND FEDERAL LEVEL. SO
3 THIS HAS BEEN ONGOING. SO A LOT MORE HAD BEEN GOING ON, A LOT
4 MORE INFORMATION WAS BEING PROVIDED AND A LOT OF DEADLINES
5 WERE BEING SAID THAT WERE GOING TO BE MET. AND WE FIND OUT
6 WHEN YOU GET BEFORE THIS BODY AND YOU HEAR THAT DEADLINES HAVE
7 NOT BEEN MET, DECISIONS THAT HAVE NOT BEEN MADE HAVE NOT BEEN
8 IMPLEMENTED, THAT'S WHAT YOU'RE SEEING RIGHT NOW. IT'S NOT
9 THAT WE JUST HEARD ABOUT IT TODAY AND NOW WE'RE RAISING THESE
10 QUESTIONS.

11

12 **ARNOLD SACHS:** I'M NOT SAYING THAT YOU JUST HEARD ABOUT IT
13 TODAY. I'M SAYING THAT THIS WAS AN ONGOING PROCESS, THAT
14 SOMEBODY SHOULD HAVE BEEN HELD ACCOUNTABLE A LONG TIME PRIOR
15 TO THIS. THIS IS A FOUR OR FIVE-YEAR PROCESS. THAT'S WHEN THE
16 ACCOUNTABILITY SHOULD HAVE BEEN BROUGHT OUT AND INSTEAD OF
17 CONTINUING THE HEARINGS, YOU SHOULD HAVE SAID, WE NEED
18 ANSWERS. YOU WANT ANSWERS TODAY FOR YESTERDAY'S PROBLEMS AND
19 NOW YOU WANT ANSWERS TODAY, BUT IT SHOULD HAVE BEEN HELD UP A
20 LONG TIME AGO.

21

22 **SUP. BURKE, CHAIR:** ALL RIGHT. YOUR TIME HAS EXPIRED.

23



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1 **ARNOLD SACHS:** ON BEHALF OF DR. CLAVREUL, THE REPORTS HAVEN'T
2 BEEN MADE AVAILABLE TO THE PUBLIC AGAIN. YOU'RE IN VIOLATION
3 OF THE BROWN ACT.

4

5 **SUP. BURKE, CHAIR:** WE'LL MAKE SURE THAT IT'S MADE AVAILABLE.
6 IT'S RIGHT OVER HERE.

7

8 **ARNOLD SACHS:** AND YOU'RE CORRECT.

9

10 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. ON ITEM -- THE
11 AMENDMENT --

12

13 **ARNOLD SACHS:** ITEM 33, VERY QUICKLY, WAS THE BALDWIN HILLS

14

15 **SUP. BURKE, CHAIR:** LET ME FINISH THIS. THE AMENDMENT FROM
16 ANTONOVICH.

17

18 **SUP. ANTONOVICH:** SO MOVED.

19

20 **SUP. BURKE, CHAIR:** IT'S MOVED AND SECONDED BY SUPERVISOR
21 MOLINA. WITHOUT OBJECTION, IT'S ORDERED. YOU WANT TO COMMENT
22 ON 33 AND THEN WE'LL BRING THE OTHER PEOPLE UP.

23

24 **ARNOLD SACHS:** BALDWIN HILLS.

25



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1 **SUP. BURKE, CHAIR:** I'M SORRY. JUST GO AHEAD. BECAUSE
2 SUPERVISOR MOLINA HAS NOT DONE HER ADJOURNMENTS.

3

4 **CLERK SACHI HAMAI:** MADAME CHAIR --

5

6 **SUP. BURKE, CHAIR:** SHE HAS NO ADJOURNMENTS. ALL RIGHT.

7

8 **CLERK SACHI HAMAI:** COULD WE ON ITEM 35, JUST GET THAT
9 CONTINUED TO WEDNESDAY, NOVEMBER 5TH? THERE WAS A MEMBER OF
10 THE PUBLIC WHO WAS HOLDING IT BUT IS NOW GONE, SO COULD WE GET
11 THAT CONTINUED?

12

13 **SUP. BURKE, CHAIR:** ALL RIGHT. MOVED BY MOLINA, SECONDED BY
14 YAROSLAVSKY, ITEM 35 WILL BE CONTINUED TO NOVEMBER 5TH.
15 WITHOUT OBJECTION, SO ORDERED. ALL RIGHT. YES.

16

17 **CLERK SACHI HAMAI:** THE MEMBER OF THE PUBLIC WANTED TO SPEAK ON
18 IT SO WE WERE HOLDING IT, BUT WE WERE GOING TO CONTINUE
19 ANYWAY.

20

21 **ARNOLD SACHS:** 33, VERY QUICKLY, WHEN YOU HAD THE HEARINGS LAST
22 WEEK REGARDING THE BALDWIN HILLS COMMUNITY STANDARDS, SOMEBODY
23 MENTIONED THE LARGEST OIL FIELDS, AND YOU HAPPENED TO MENTION
24 THAT LONG BEACH AND SIGNAL HILL, AT LEAST LONG BEACH, MORE OIL
25 FIELDS. SO I WAS WONDERING IF, WHEN THESE COMMUNITY STANDARDS



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1 ARE UPHELD OR PUT TOGETHER, OR THE PROGRAM IS STARTED, WILL
2 THE LONG BEACH PARAMETERS BE USED IN FIGURING WHAT THE
3 COMMUNITY STANDARDS SHOULD BE FOR BALDWIN HILLS? WILL THEY BE
4 TAKEN INTO EFFECT, WILL THAT BE USED AS A BLUEPRINT FOR THIS
5 PROGRAM?

6

7 **SUP. BURKE, CHAIR:** WE DON'T HAVE --

8

9 **ARNOLD SACHS:** JUST OUT OF CURIOSITY.

10

11 **SUP. BURKE, CHAIR:** THEY DO NOT HAVE A COMMUNITY STANDARDS
12 DISTRICT.

13

14 **ARNOLD SACHS:** IN LONG BEACH?

15

16 **SUP. BURKE, CHAIR:** RIGHT.

17

18 **ARNOLD SACHS:** BUT THEY HAVE MORE OIL FIELDS THAT ARE GOING TO
19 BE DRILLED.

20

21 **SUP. BURKE, CHAIR:** BUT THEY ARE NOT SUBJECT TO THESE RULES.

22

23 **ARNOLD SACHS:** THEY'RE NOT SUBJECT.

24



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1 **SUP. BURKE, CHAIR:** NO. MAYBE IN THE FUTURE, BUT AT THIS TIME,
2 THESE RULES DO NOT -- THESE LIMITATIONS DO NOT APPLY TO THEM.

3

4 **ARNOLD SACHS:** SO THESE ARE JUST LIMITATIONS THAT WILL BE SET
5 UP SPECIFICALLY FOR BALDWIN HILLS, THEN FROM SCRATCH.

6

7 **SUP. BURKE, CHAIR:** THAT'S THE ONLY OIL FIELD TO BE SUBJECT FOR
8 THESE. MAYBE IN THE FUTURE OTHER STATE WILL ADOPT THEM OR IN
9 OTHER PLACES, BUT AT THIS POINT THIS DOES NOT APPLY.

10

11 **ARNOLD SACHS:** MADAM CHAIR, I DO HAVE ONE QUESTION. I KNOW MY
12 TIME IS UP AND I KNOW THAT --

13

14 **SUP. BURKE, CHAIR:** WELL, THIS GENTLEMAN RIGHT HERE IS GOING TO
15 ANSWER IT FOR YOU.

16

17 **ARNOLD SACHS:** IT'S ACTUALLY REGARDING SOMETHING WITH THE
18 REGISTRAR'S OFFICE REGARDING THE VOTING.

19

20 **SUP. BURKE, CHAIR:** ALL RIGHT. YOU'RE ON 33 RIGHT NOW. WE'LL
21 GET SOMEONE FROM REGISTRAR TO ANSWER THAT.

22

23 **ARNOLD SACHS:** THANK YOU.

24



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1 **SUP. BURKE, CHAIR:** OKAY. THANK YOU. ALL RIGHT. I HAVE
2 ADJOURNMENTS. I MOVE THAT WHEN WE ADJOURN TODAY, THAT WE
3 ADJOURN IN THE MEMORY OF ADASSA SINCLAIR, A LONG-TIME SECOND
4 DISTRICT RESIDENT AND MOTHER OF EXECUTIVE OFFICE EMPLOYEE ROY
5 SINCLAIR, WHO RECENTLY PASSED AWAY AT THE AGE OF 81 AFTER A
6 LENGTHY ILLNESS. SHE LEAVES TO CHERISH HER MEMORY HER HUSBAND
7 AND CHILDREN ALONG WITH A HOST OF FAMILY AND FRIENDS. I WAS
8 GOING TO ALSO MOVE EARL PARKS AND I HAVE MADE SOME STATEMENTS.
9 AND CERTAINLY OUR SYMPATHIES GO OUT TO THIS FAMILY,
10 PARTICULARLY TO BERNARD PARKS AND HIS WIFE AND HIS SISTERS.
11 ALSO, VINCENT --

12

13 **SUP. MOLINA:** (OFF-MIKE).

14

15 **SUP. BURKE, CHAIR:** YEAH. FOR EARL.

16

17 **CLERK SACHI HAMAI:** WE DID ALL MEMBERS.

18

19 **SUP. BURKE, CHAIR:** ALL MEMBERS. AND VINCENT ROMERO WALKER, THE
20 SON OF JACKIE DUPONT WALKER AND BUFORD SUNNY WALKER, WHO
21 PASSED AWAY FROM LOU GEHRIG'S DISEASE. HE IS SURVIVED BY HIS
22 WIFE, SHIMMY, AND HIS PARENTS. SO ORDERED. ALL RIGHT. WE'RE
23 GOING TO TAKE UP 24 AND 33 AT THE SAME TIME. DO YOU WANT TO
24 TAKE YOUR ADJOURNMENTS?

25



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1 **SUP. YAROSLAVSKY:** I ASK THAT WE ADJOURN IN THE MEMORY OF
2 ESTELLE KATZ, WHO PASSED AWAY ON SUNDAY. SHE IS THE MOTHER-IN-
3 LAW OF MY CHIEF OF STAFF, ALISA KATZ, AND THE MOTHER OF FORMER
4 CHIEF OF STAFF, HOWARD KATZ. SHE IS SURVIVED BY HER THREE
5 CHILDREN, HOWARD KATZ, LINDA SCHWARTZ, AND BARRY KATZ, AND A
6 WHOLE HOST OF GRANDCHILDREN. SHE WAS A GREAT CONSTITUENT OF
7 OURS. I USED HER APARTMENT IN THE FAIRFAX AREA WHEN I FIRST
8 RAN AS A LITTLE -- SHE USED TO MAKE CHICKEN SOUP FOR ME WHEN I
9 WAS DONE WALKING THE PRECINCT. SO SHE WAS A VERY LOVELY LADY
10 AND SHE PASSED AWAY AFTER A LONG ILLNESS. JORDAN ALEXANDER
11 MOORE-FIELDS, A YOUNG MAN OF GREAT PROMISE WHO RECENTLY PASSED
12 AWAY AT THE UNTIMELY AGE OF 18. HE IS SURVIVED BY HIS PARENTS,
13 MARK AND JACKIE FIELDS. AND OTHER MEMBERS OF THE FAMILY. PAUL
14 WILLARD FLORA, LONG-TIME RESIDENT OF THE OF SYLMAR AND WELL
15 KNOWN COMMUNITY ACTIVIST WHO RECENTLY DIED TRAGICALLY AFTER HE
16 SUFFERED A FALL IN HIS MOTORIZED WHEELCHAIR. HE IS SURVIVED BY
17 HIS WIFE OF 40 YEARS, CAROL; A DAUGHTER, SHELLEY; ANOTHER
18 DAUGHTER, HEATHER DENBY; HER HUSBAND, JOSH; AND THEIR
19 DAUGHTER, AVA, HIS GRANDCHILD. ALSO ASK THAT WE ADJOURN IN THE
20 MEMORY OF RABBI MOSHI COTEL OF NEW YORK CITY, WHO WAS MARRIED
21 TO A WOMAN WHO I'VE KNOWN SINCE I WAS A HIGH SCHOOL STUDENT IN
22 THE YOUTH MOVEMENT THAT I WAS A MEMBER OF WHILE GROWING UP. HE
23 WAS A UNIQUE RABBI AND LITURGIST AND MUSICIAN AND TRAVELED OUT
24 HERE MANY TIMES TO PERFORM, AND DIED SUDDENLY OF A HEART
25 ATTACK ON THURSDAY MORNING, TRAGIC LOSS. HE IS SURVIVED BY HIS



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1 WIFE, ALYIA JESUS COTEL, AND HIS TWO CHILDREN, ORLI AND
2 SIVAN. I'LL GET YOU THE INFORMATION.

3

4 **SUP. BURKE, CHAIR:** SO ORDERED.

5

6 **SUP. ANTONOVICH:** MADAME CHAIR, I HAD ANOTHER POINT I WANTED TO
7 ASK OUR COUNTY COUNSEL ON AN INCIDENT THAT OCCURRED YESTERDAY.
8 AND I'VE RECEIVED SOME CORRESPONDENCE IN MY OFFICE AND I WAS
9 ALSO SHOCKED BY WHAT HAPPENED. BUT THE INTERNET ENCYCLOPEDIA
10 DEFINES HATE CRIME AS TARGETING A VICTIM BECAUSE OF HIS OR HER
11 MEMBERSHIP IN A CERTAIN SOCIAL GROUP, INCLUDING GENDER, SEX OR
12 POLITICAL AFFILIATION. HATE CRIMES TAKE MANY FORMS, INCLUDING
13 INSULTS OR OFFENSIVE GRAFFITI, IMAGES OR LETTERS. IN ONE OF
14 OUR CITIES, THERE IS A DECORATION OF A SARAH PALIN IN A NOOSE
15 HANGING FROM A TREE AND SENATOR MCCAIN ON FIRE COMING OUT OF
16 THE FIRE CHIMNEY. AND THE QUESTION IS, THAT WOULD BE DEFINED
17 AS A HATE CRIME UNDER THE DEFINITION. WHY IS THIS NOT
18 CONSIDERED A HATE CRIME?

19

20 **RAYMOND G. FORTNER, JR.:** MADAM CHAIR, SUPERVISOR ANTONOVICH, I
21 HAVE THOUGHT ABOUT THAT QUESTION WHEN I SAW THE SAME NEWS
22 REPORTS THAT WE ALL DID. AND WHILE ON THE ONE HAND THERE ARE
23 SUBSTANTIAL FIRST AMENDMENT RIGHTS AT PLAY THERE, I WOULD NEED
24 TO -- [OVERLAPPING VOICES]

25



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1 **SUP. ANTONOVICH:** IF IT WAS AN AFRICAN-AMERICAN HANGING FROM A
2 TREE, WOULD THE FIRST AMENDMENT RIGHTS PROTECT THAT PERSON?

3

4 **RAYMOND G. FORTNER, JR.:** I THINK IN CERTAIN CIRCUMSTANCES THAT
5 HAS BEEN HELD TO CONSTITUTE A HATE CRIME. BUT I AM NOT
6 POSITIVE, I'M NOT SURE AT ALL, IN FACT, AND NEED TO THINK
7 ABOUT WHETHER OR NOT THE ACTIVITIES SUCH AS THE ONE IN WEST
8 HOLLYWOOD WOULD RUN AFOUL OF THE --

9

10 **SUP. ANTONOVICH:** EVEN THOUGH THE DEFINITION OF A HATE CRIME
11 STATES INCLUDING GENDER, SEX OR POLITICAL AFFILIATION?

12

13 **RAYMOND G. FORTNER, JR.:** WELL, YES. I BELIEVE THAT THERE IS
14 MORE TO IT THAN THAT AND AS YOU KNOW, WE'RE THE CIVIL LAWYERS
15 HERE AND NOT EXPERTS IN THE CRIMINAL LAW, BUT I WOULD WANT TO
16 TAKE AN OPPORTUNITY TO RESPOND TO YOU AFTER RESEARCHING THE
17 QUESTION.

18

19 **SUP. ANTONOVICH:** WOULD YOU GIVE US A RESPONSE TO THAT?

20

21 **RAYMOND G. FORTNER, JR.:** I CERTAINLY WOULD.

22

23 **SUP. ANTONOVICH:** I MEAN, IF IT WAS ANOTHER PRESIDENTIAL
24 CANDIDATE HANGING FROM A NOOSE OR ANOTHER ETHNIC, SAY OF ASIAN



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1 ANCESTRY OR OTHER TYPE OF AS ANCESTRY WAS HANGING FROM A
2 NOOSE, THAT WOULD BE APPROPRIATE AND CONSIDERED ART?

3

4 **RAYMOND G. FORTNER, JR.:** IT IS AN ISSUE THAT I WOULD WANT TO,
5 FRANKLY, I THINK TALK TO THE DISTRICT ATTORNEY ABOUT TOO.
6 BECAUSE THEY DO PROSECUTE THOSE CRIMES.

7

8 **SUP. ANTONOVICH:** WOULD YOU DO THAT AND GIVE US A REPORT BACK?

9

10 **RAYMOND G. FORTNER, JR.:** I WOULD BE PLEASED TO DO THAT.

11

12 **SUP. ANTONOVICH:** BECAUSE I FIND IT TOTALLY REPREHENSIBLE IN
13 THIS ERA THAT YOU HAVE TO USE SUCH AN ODIUS MANNER OF
14 DISPLAYING A DECORATION. IT'S NOT APPROPRIATE FOR ANY ETHNIC
15 GROUP TO BE CHARACTERIZED IN THAT TYPE OF A FASHION.

16

17 **SUP. BURKE, CHAIR:** ALL RIGHT. THANK YOU. AND SO YOU'LL LOOK
18 INTO THAT. ALL RIGHT. WE'LL CALL UP RUTH CRAFT, GARY GLESS,
19 MARGRIT CHEESEBORO, AND RANDALL PAULIN. PLEASE COME FORWARD.
20 AND WE'RE TAKING UP BOTH 24 AND 33. YOU MAY WANT TO INDICATE
21 IF YOU'RE OPPOSED TO BOTH OF THOSE OR IF IT'S JUST ONE THAT
22 YOU'RE OPPOSED TO, BUT SOME PEOPLE HERE, I THINK THEY'VE ALL
23 SAID THAT THEY'RE OPPOSED TO ANY AGREEMENT FOR THERE TO BE A
24 SECESSION OF THE DRILLING APPLICATIONS. FIRST WE'RE GOING TO
25 LET EVERYBODY TESTIFY AND THEN WE'LL SEE IF WE ANYBODY HAS



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1 QUESTIONS THAT WANT THEM TO WANT TO RESPOND TO. TWO MINUTES,
2 YES.

3

4 **RUTH CRAFT:** GOOD AFTERNOON. MY NAME IS RUTH CRAFT. MADAM
5 CHAIRPERSON, I WANTED TO YIELD MY MINUTES TO ONE OF THE
6 MEMBERS OF OUR GROUP. IS THAT POSSIBLE?

7

8 **SUP. BURKE, CHAIR:** SURE. ALL RIGHT. YES. STATE YOUR NAME.

9

10 **MARGRIT CHEESEBORO:** MY NAME IS MARGRIT CHEESEBORO AND I HAVE
11 LIVED IN THE CRENSHAW AREA SINCE 1965. AND IT'S WITH A VERY
12 HEAVY HEART THAT I'M GOING TO MAKE THE COMMENTS THAT I'M GOING
13 TO MAKE. I HOPE THAT YOU ALL READ OUR LETTERS AND ALL THE
14 TRANSCRIPTS FROM ALL THE COMMISSIONERS. THEY HAD ME TESTIFY TO
15 THE COMMISSIONER, BUT THIS IS ESPECIALLY FOR YOU, SUPERVISOR
16 BURKE. I COULDN'T BELIEVE THAT YOU WOULD ACTUALLY TAKE THE
17 POSITION OF P.X.P., DEFEND AND ARGUE FOR THEM, RIGHT IN THE
18 COUNTY SUPERVISORS HEARING ROOM, IN SPITE OF ALL YOUR
19 CONSTITUENTS PRESENTING THEIR OPPOSITION TO ADDITIONAL
20 DRILLING BY P.X.P., AND SEEING THE THOUSANDS OF SIGNATURES OF
21 ALL THE PEOPLE WHO WERE AT WORK AND COULDN'T PRESENT, COULDN'T
22 BE PRESENT AT THE OCTOBER 21ST HEARING VOICING THEIR
23 OPPOSITION TO MORE DRILLING. YOU TOLD ME AFTER THE BALDWIN
24 HILLS CONSERVANCY MEETING THAT YOU LIVED A LONG TIME ON GARTH
25 STREET AND THAT YOU DIDN'T GET SICK. BUT THEN I ACTUALLY FOUND



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1 OUT THAT YOU LIVE IN BRENTWOOD, WHICH IS NOT EVEN IN THE
2 SECOND DISTRICT.

3

4 **SUP. BURKE, CHAIR:** DO YOU KNOW WHERE I LIVED ON GARTH? DO YOU
5 KNOW WHERE I LIVED? I LIVED THERE SIX YEARS. WHERE DO YOU
6 LIVE? I LIVED ADJACENT TO GARTH AND YOU'RE GOING TO TELL ME I
7 DIDN'T LIVE THERE?

8

9 **MARGRIT CHEESEBORO:** NO, THAT YOU DID LIVE THERE.

10

11 **SUP. BURKE, CHAIR:** YES. I LIVE ON CENTINELLA NOW.

12

13 **MARGRIT CHEESEBORO:** OKAY.

14

15 **SUP. BURKE, CHAIR:** ALL RIGHT.

16

17 **MARGRIT CHEESEBORO:** ALL RIGHT.

18

19 **SUP. BURKE, CHAIR:** LIVED IN BALDWIN HILLS ON DON MIGUEL, TOO.
20 DID YOU KNOW THAT?

21

22 **MARGRIT CHEESEBORO:** NO.

23

24 **SUP. BURKE, CHAIR:** DID YOU COME TO MY HOUSE ON DON MIGUEL?

25



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1 **MARGRIT CHEESEBORO:** NO. I DIDN'T KNOW.

2

3 **SUP. BURKE, CHAIR:** OKAY. ALL RIGHT.

4

5 **MARGRIT CHEESEBORO:** ANYWAY. WE IN THE BALDWIN HILLS AREA ARE
6 IN THE DANGER ZONE IN CASE OF AN INGLEWOOD FAULT EARTHQUAKE
7 AND WE ARE IN THE WIND PATTERN THAT BEARS ALL THE CARCINOGENIC
8 DUST PARTICLES WITH DEADLY SMOKE AND FUMES THAT MAKE PEOPLE
9 SICK WITH CANCER AND OTHER PULMONARY DISEASES. I FELT LIKE A
10 DAGGER GOING THROUGH MY HEART AFTER ALL THESE YEARS THAT I
11 LOOKED UP TO YOU AND ALWAYS VOTED FOR YOU, SINCE THE 1960S,
12 WHEN YOU WERE FIRST A MEMBER OF THE CALIFORNIA ASSEMBLY,
13 BELIEVING THAT YOU REALLY CARE FOR YOUR CONSTITUENTS AND WOULD
14 NEVER VOTE ON ANYTHING THAT WOULD HURT US.

15

16 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. THANK YOU FOR YOUR
17 VOTE, TOO. THANK YOU.

18

19 **MARGRIT CHEESEBORO:** I JUST HAVE ONE SENTENCE. I TRULY HOPE AND
20 PRAY THAT YOU WILL HAVE A CHANGE OF HEART AND VOTE NOT TO
21 ACCEPT THE C.S.D. AS IT STANDS NOW. PLEASE DON'T BETRAY US
22 NOW. I DON'T BELIEVE THAT YOU WOULD WANT TO LEAVE A LEGACY OF
23 A VOTE OF THIS MAGNITUDE THAT WOULD HURT AND EVEN KILL PEOPLE
24 FOR A LONG TIME TO COME. WHAT MORE COULD I SAY. THANK YOU.

25



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1 **SUP. BURKE, CHAIR:** ALL RIGHT. THANK YOU VERY MUCH. PLEASE
2 STATE YOUR NAME, AND WE'D LIKE TO CALL UP CLAIRE CHISHOLM. ALL
3 RIGHT. PLEASE STATE YOUR NAME.

4

5 **GARY GLESS:** GOOD AFTERNOON. MY NAME IS GARY GLESS OF THE
6 WINDSOR HILLS HOMEOWNERS' ASSOCIATION. THIS DECISION WAS
7 RENDERED MONTHS AGO ON A PRIVATE PHONE CALL I RECEIVED FROM
8 YVONNE BURKE. SHE TOLD ME, AND I QUOTE, "IF YOU DON'T LIKE MY
9 DECISION, YOU CAN HAVE IT RESCINDED THE DAY AFTER I GET OUT OF
10 OFFICE." IN FRONT OF YOU, YOU HAVE A CONFLICT OF INTEREST. SHE
11 IS THE CHAIR OF THE BALDWIN HILLS CONSERVANCY ALONG WITH BOBBY
12 PARKS, AND HAS HELD SPECIAL MEETINGS WITH P.X.P. ON THE SECOND
13 PAGE YOU HAVE THERE, SHE HAS RECEIVED CONTRIBUTIONS FROM
14 P.X.P. PAGE 3, WILLIAM BURKE IS THE VICE CHAIR OF THE SOUTHERN
15 CALIFORNIA AIR QUALITY MANAGEMENT DISTRICT. AND I GUESS HE CAN
16 GO GOLFING AFTER THIS DECISION. PAGE 4, -- WROTE A REQUEST TO
17 HAVE MORE TIME TO STUDY THE FIELD AND IT WENT UNANSWERED AND
18 THE COUNTY MADE AN UNINFORMED DECISION. PAGE 5, THE COUNTY
19 CONSERVATION ALSO REQUESTED MORE TIME BUT IT WENT UNANSWERED
20 AND THE COUNTY MADE AN UNINFORMED DECISION. WHY WAS NOT THE
21 FEDERAL E.P.A. INVOLVED AND THE COUNTY MADE AN INFORMED
22 DECISION? WHY WERE THERE NO INDEPENDENT STUDIES DONE AND THE
23 COUNTY MADE AN INFORMED DECISION? PEARSON, A NICE GUY,
24 BACHELOR'S IN MATH BUT HE WORKS FOR P.X.P., AND HAS BEEN PAID
25 FOR. HE WILL NOT VOLUNTARILY HAND OVER ANYTHING THAT WILL HURT



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1 P.X.P. AND THAT'S WHY WE NEEDED INDEPENDENT STUDIES DONE.
2 P.X.P. HAS A 3-D GEOLOGICAL STUDY ON THE FIELD. AND WHY HASN'T
3 THE COUNTY ASKED FOR THIS IN ORDER TO MAKE AN INFORMED
4 DECISION? NOBODY WANTS TO HAVE THIS C.S.D. PASSED EXCEPT FOR
5 BURKE AND P.X.P. I CAN GUARANTEE YOU THAT MULTIPLE AGENCIES
6 AND COMMUNITY GROUPS WILL SUE. DO NOT BE BULLIED BY YVONNE
7 BURKE OR P.X.P. WE KNOW HOW THE INDUSTRY WORKS AND WE WILL NOT
8 TAKE IT ANYMORE. I GUESS YOU CAN ALL SAY THANK YOU, YVONNE,
9 WHILE SHE LEAVES YOU HOLDING THE BAG. YOU MUST COME TO OUR
10 HOMES, AND ACTUALLY, YOU CAN HEAR THEM CRACKING. THE LAND HAS
11 BEEN MOVED 1-3/4 INCHES, NOT THE HALF INCH STATED BEFORE BY
12 PEARSON. ALSO, THE LAST REQUEST TO D.O.G.G.R. WAS HELD UP BY
13 SIX MONTHS, NOT THE TWO WEEKS ALSO PRIOR GIVEN TO YOU. THANK
14 YOU VERY MUCH.

15

16 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. PLEASE STATE YOUR NAME
17 AND PHYLLIS HULL, WILL YOU PLEASE COME FORWARD?

18

19 **RANDALL PAULIN:** MY NAME IS RANDALL PAULIN. I'M A RESIDENT OF
20 ARCH CREST IN WINDSOR HILLS. SUPERVISORS, THIS C.S.D. IS SO
21 IMPORTANT, WE MUST TAKE THE TIME TO ADDRESS THE FOLLOWING
22 CRITICAL ISSUES. THE FORMULATION OF THE C.S.D. IS BEING
23 RUSHED. IN LESS THAN 60 DAYS WE'VE BEEN THROUGH AT LEAST FIVE
24 ITERATIONS. REMEMBER THERE ARE ALREADY STATE REGULATIONS IN
25 EFFECT TO PROTECT THIS AREA IF THE C.S.D. IS NOT IN EFFECT.



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1 LET US DO THIS RIGHT OR NOT AT ALL. THE DOCUMENT REMAINS
2 INSUFFICIENT IN DETAIL AND RESPONSIBILITY. IT'S DANGEROUS TO
3 LEAVE SO MANY DECISIONS AND REMEDIES TO THE OPERATOR OF THE
4 OIL FIELD. WE'RE ALREADY SUFFERING IN TOO MANY WAYS TODAY FROM
5 LACK OF APPROPRIATE REGULATION. DO THIS CORRECTLY. THE C.S.D.,
6 AS WRITTEN, LACKS INPUT FROM INDEPENDENT RESEARCH, DOES NOT
7 PROPERLY TAKE INTO ACCOUNT THE COMBINATION OF INCREASED
8 QUANTITY OF ACTIVITY AND INVASIVE NEW RECOVERY TECHNIQUES
9 WHICH UNDERMINE THE EARTH FOR MILES UNDER THE SURROUNDING
10 NEIGHBORHOODS. HUGHES GEOLOGICAL SERVICE WARNS THAT THIS IS IN
11 A POPULATED AREA -- WARNS AGAINST THIS IN POPULATED AREA
12 BECAUSE OF DAMAGING SEISMIC POTENTIAL. P.X.P. HAS MAPS OF THE
13 SEISMIC AREA. WE'VE NEVER SEEN THEM. THEY WERE NOT INCLUDED.
14 WITH 600 MORE WELLS, WHAT WILL THE UNDERNEATH OF THIS GROUND
15 LOOK LIKE? WE DON'T KNOW. IT'S YOUR DUTY TO PROTECT THE
16 COMMUNITY. WE MUST DEMAND THAT THE C.S.D. HAVE THE OPERATOR
17 PROVIDE BONDER INSURANCE POOL TO PROTECT US FROM ANY OF THE
18 CIRCUMSTANCES THAT CAN ARISE FROM THIS INCREASE. AND LAST BUT
19 NOT NEARLY LEAST, THE BASELINE HEALTH STUDIES HAVE TO BE STEP
20 NUMBER ONE. AND WE CAN'T WAIT TWO YEARS FOR BASELINE HEALTH
21 STUDIES ON THIS AREA.

22
23 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. COULD WE HAVE
24 CATHERINE COTTLES COME FORWARD? PLEASE STATE YOUR NAME.



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1 **PHYLLIS HULL:** MY NAME IS PHYLLIS HULL AND I RESPECTFULLY YIELD
2 MY TIME TO CATHERINE.

3

4 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME. YES.

5

6 **RUTH CRAFT:** I'M RUTH CRAFT. I'VE ALREADY -- I WAS YIELDING MY
7 TIME.

8

9 **SUP. BURKE, CHAIR:** ALL RIGHT. OKAY. IF YOU CAN GO BACK TO YOUR
10 SEAT. ALL RIGHT. AND WOULD YOU STATE YOUR NAME, LADY WHO IS
11 SITTING THERE? YES. WOULD YOU STATE YOUR NAME?

12

13 **CLAIRE CHISHOLM:** MY NAME IS CLAIRE CHISHOLM, AND I'M YIELDING
14 MY TIME TO GWEN FLYNN.

15

16 **SUP. BURKE, CHAIR:** ALL RIGHT. AND DR. LARITA BROWN? DR.
17 DEBENEDITTIS. DO YOU WANT TO START?

18

19 **CATHERINE COTTLES:** SUPERVISOR BURKE, SUPERVISORS MOLINA,
20 YAROSLAVSKY, AND ANTONOVICH, MY NAME IS CATHERINE COTTLES, AND
21 I'VE LIVED IN THE VIEW PARK COMMUNITY FOR 40 YEARS. I'M NOT
22 GOING TO SAY THAT THE POLLUTANTS FROM THE OIL FIELD CAUSE
23 CANCER AND OTHER DISEASES BECAUSE I HAVE NO FACTS TO BACK THAT
24 UP. IT IS A FACT, THOUGH, THAT THERE ARE MANY PEOPLE IN THE
25 AREA WITH THOSE DISEASES, PEOPLE WHO ARE CALLED SENSITIVE



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1 RECEPTORS. ALSO, THE ELDERLY AND CHILDREN, WHETHER SICK OR
2 WELL, ARE ALSO SENSITIVE RECEPTORS. IT IS THE BASIC MISSION OF
3 THE A.Q.M.D. TO PROTECT THE HEALTH AND WELL BEING OF THESE
4 PEOPLE. I HAVE IN MY HAND 57 PAGES, THE CHAPTER ON AIR QUALITY
5 FROM THE FINAL C.S.D. AND E.I.R. IT IS THE AIR -- THE AIR
6 QUALITY IS MEASURED BY THE SOUTH COAST A.Q.M.D. THEIR AIR
7 MONITORING STATIONS LOCATED AT LENNOX AND IN WEST LOS ANGELES.
8 ONE IS 2.5 MILES FROM THE OIL FIELD AND THE OTHER 4.2, AND
9 THESE STATIONS ENCOMPASS A LARGE AREA AROUND THEM. SO IT WOULD
10 BE SAFE TO SAY THAT IF I WERE TO DRIVE FROM SOUTH OF LENNOX
11 ACROSS TOWN NORTH TO THE WEST LOS ANGELES STATION, AND IF I
12 THREW THIS CHAPTER OUT THE WINDOW, IT WOULD BE -- WHEREVER IT
13 FELL WOULD BE DESCRIPTIVE OF THAT PARTICULAR SPOT, THE REPORT
14 HERE. BECAUSE TO ASSESS THE AIR QUALITY OF THE OIL FIELD, THE
15 REPORT USES THE DATA FROM THE CHARTS AND ALSO THE MEASUREMENTS
16 THAT ARE GAINED FROM THE MONITORING STATIONS. AND THESE
17 STATIONS USE DATA FROM THE WHOLE AREA AND THE REGION THEY
18 ENCOMPASS, SO WHEREVER THIS FALLS, IT FITS. THERE'S NOTHING
19 SPECIFIC ABOUT THE OIL FIELD IN THE STUDY. THERE'S NOTHING --
20 THERE ARE NO SCIENTIFIC FACTS ABOUT THE COMMUNITY WHICH
21 SURROUND THE OIL FIELD, AND NOTHING SPECIFIC ABOUT THE WINDSOR
22 HILLS ELEMENTARY SCHOOL WHERE CHILDREN 4 TO 11 YEARS OLD
23 ATTEND, A SCHOOL YARD THAT STANDS ON ONE CORNER THAT LOOKS
24 UPON THE DRILLING WELLS. IS THIS NOT A GROSS ERROR OF
25 OMISSION? WHILE I WAS ON-LINE, I SAW A CHART ABOUT THE BEVERLY



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1 HILLS HIGH SCHOOL AND AN AIR QUALITY MEASUREMENT AND TESTS
2 THAT WERE DONE FROM, I COUNTED 480-SOME AIR SAMPLES THAT WERE
3 COLLECTED, AND 46 TESTS THAT WERE PERFORMED. BUT NOT ONE TEST
4 WAS FORMED FROM THE AIR AT WINDSOR HILLS SCHOOL. NOT ONE. NOT
5 ONE FROM THE COMMUNITY. NOT ONE FROM THE OIL FIELD.

6

7 **SUP. BURKE, CHAIR:** ALL RIGHT. THANK YOU. AND WE'RE GOING TO
8 HAVE SOMEONE TO RESPOND TO ALL OF YOUR QUESTIONS. WE'RE GOING
9 TO HAVE HIM RESPOND AND EXPLAIN IT.

10

11 **CATHERINE COTTLES:** OKAY. THANK YOU. I ALSO HAVE PHYLLIS' TIME.

12

13 **SUP. BURKE, CHAIR:** WE ADDED ALL THAT TOGETHER.

14

15 **CATHERINE COTTLES:** OKAY, THANK YOU. THANK YOU.

16

17 **SUP. BURKE, CHAIR:** ALL RIGHT. WOULD MRS. FLYNN, GWENDOLYN
18 FLYNN AND BETHANY ULRICH COME FORWARD? YES. DR. DEBENEDITTIS.

19

20 **DR. SUZANNE DEBENEDITTIS:** THANK YOU. RUTH HAS GIVEN ME HER
21 TIME ALSO. HONORABLE SUPERVISORS, FIRST OF ALL, GLORIA MOLINA,
22 THANK YOU FOR THOSE HARD-HITTING QUESTIONS. WE NEED THEM IN
23 RESPONSE TO WHAT'S GOING ON HERE ALSO. AND FOR THE COST
24 CONSCIOUSNESS THAT YOU BROUGHT OUT LAST WEEK, ZEV, I REALLY
25 APPRECIATED THAT WITH THE OTHER PROJECT. AND YOUR INCISIVE



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1 QUESTIONS TODAY, MIKE. THANK YOU. I'M NOT OPPOSED TO OIL
2 DRILLING, LET ME MAKE THAT CLEAR. I'M HERE TO ASK THAT THE
3 C.S.D. BE CORRECTED TO REQUIRE THAT THE TRANSITIONAL
4 PROVISIONS FOR HEALTH AND SAFETY BE PUT IN PLACE, TESTED AND
5 APPROVED AS THE FIRST STEP IN ISSUING THE DRILLING PERMITS. IF
6 YOU RECALL, THE WHOLE PROCESS BEGAN TWO YEARS AGO WHEN CULVER
7 CITY RESIDENTS WERE FORCED TO BEAR THE COSTS OF EVACUATION AND
8 HEALTH CHALLENGES WHEN P.X.P. ACCIDENTALLY FUMIGATED AND
9 GASSED US. I LIVE IN CULVER CREST. WE DID NOT SUE AS WE WERE
10 LED TO BELIEVE THAT THE COUNTY WOULD MAKE OUR SAFETY A
11 PRIORITY. WE FOUND THAT DENIGRATING, THAT P.X.P. TRIED TO
12 DIMINISH WHAT HAPPENED TWICE BY EUPHEMISTICALLY DESCRIBING
13 THESE AS ODOR EVENTS. WE FIND COUNTY STAFF DOING THE SAME IN
14 THE IN THE CURRENT C.S.D., THE CURRENT ITERATION. THE FACT
15 THAT THERE IS NO EMERGENCY RESPONSE PLAN IN PLACE IS A
16 REQUISITE NOR ARE ANY COMMUNITY NOTIFICATION OF DANGER NOR ANY
17 EVACUATION PLANS CALLED FOR UNTIL MONTHS AFTER DRILLING BEGINS
18 MAKES NO SENSE. I'M NOT OPPOSED TO DRILLING, BUT PUTTING THE
19 CART BEFORE THE HORSE, PLEASE EXCUSE ME, IS ASS BACKWARD. THIS
20 IS SHEER RECKLESSNESS ON THE PART OF THE COUNTY, IT FOSTERS
21 THE VERY PROBLEMS THAT BROUGHT THAT BROUGHT THIS WHOLE THING
22 ABOUT AND IT INVITES LITIGATION. FOR EVEN TODAY, IN EARLY
23 MORN, PEOPLE SMELL FUMES IN MY NEIGHBORHOOD. CHECK A.Q.M.D.,
24 AND YOU'LL SEE P.X.P. IS RIGHT UP THERE ON THEIR RED LIST FOR
25 VIOLATIONS CURRENTLY. I TRUST THAT YOU, THE SUPERVISORS, WHO



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1 WILL HAVE TO CONTINUE THIS PROCESS INTO A NEW TERM WOULD
2 PREFER SAFETY OVER LAWSUITS. I ASK THAT YOU ABSTAIN FROM
3 APPROVING THIS ITERATION OF THE C.S.D. UNTIL COUNSEL CAN AMEND
4 AND PUT THESE PRIORITIES IN ORDER, THAT THE MONITORS, THE
5 EARTHQUAKE ACCELEROMETER, THE EMERGENCY RESPONSE PROCEDURES,
6 COMMUNITY ALERT FOR EVACUATIONS OR SHELTER-IN-PLACE PLANS BE
7 DRAWN UP, TESTED AND APPROVED AS THE FIRST STEP IN THE COUNTY
8 GIVING THE PERMITS. SUPERVISOR BURKE, I REPEATEDLY HEARD THE
9 CONFEE TRUST, PILLSBURY, AND THE OTHER LAWYERS CONTEST BEING
10 FORCED TO DEAL WITH VEGETATION AND LANDSCAPING DURING THE
11 HEARINGS. YET YOU WERE ABLE TO ACHIEVE A MAGNIFICENT COUP, AND
12 I COMMEND YOU. I ASK YOU TO REMIND THESE GOOD PEOPLE THAT THEY
13 WOULD LOOK FOOLISH IN COURT ACQUIESCING TO LANDSCAPING PLANS
14 YET CONTESTING THE PRIORITIZATION OF HEALTH AND SAFETY. DON'T
15 YOU THINK THAT OUR LUNGS AND LIVES COME BEFORE THE LANDSCAPE?
16 I TRUST THAT WE WILL NOT NEED AN INJUNCTION AND CLASS ACTION
17 LAWSUITS TO HELP US DETERMINE THE PRIORITIES. THANK YOU FOR
18 YOUR WISDOM IN SUPPORTING THE COMMUNITY AS WE ALLOW SAFE
19 DRILLING BY PUTTING THINGS IN ORDER. THANK YOU.

20

21 **SUP. BURKE, CHAIR:** THANK YOU. NOW WE HAVE DR. LARITA BROWN, WE
22 HAVE GWENDOLYN FLYNN, BETHANY ULRICH, AND ULYSSES TORY.

23

24 **DR. LARITA BROWN:** I'M DR. LARITA BROWN. I'M A RESIDENT OF THE
25 AREA, OF VIEW PARK AREA, FOR OVER 40 YEARS. I'M A VICTIM OF



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1 CANCER, MY SISTER HAS CANCER AND MY FATHER PASSED AWAY ABOUT
2 FIVE YEARS OF CANCER. AND WE HAVE AT LEAST, OH I'D SAY ABOUT
3 EIGHT PEOPLE THAT WE KNOW OF THAT HAVE CANCER IN A TWO-BLOCK
4 AREA IN THE VIEW PARK AREA, SO MY CONCERN IS, OF COURSE, THE
5 HEALTH ISSUE. AND I WOULD LIKE TO YIELD THE REST OF MY TIME TO
6 GWEN FLYNN.

7

8 **GWENDOLYN FLYNN:** THANK YOU VERY MUCH. MADAM CHAIR, SUPERVISORS
9 ALL, STAFF, MY NAME IS GWENDOLYN FLYNN, I'M WITH COMMUNITY
10 HEALTH COUNCILS AND I'M HERE REPRESENTING THEM HERE TODAY. WE
11 COME BEFORE YOU TO URGE YOU TO POSTPONE THE VOTE ON THE
12 ADOPTION OF THE PROPOSED COMMUNITY STANDARDS DISTRICT FOR THE
13 BALDWIN HILLS OIL FIELD, TO ALLOW FOR AN OPPORTUNITY TO
14 RESOLVE TO THE COMMUNITY'S SATISFACTION A NUMBER OF CRITICAL
15 OUTSTANDING ISSUES. AND I SHOULD SAY BEFORE I GO ON THAT I
16 COUNT ABOUT EIGHT MINUTES BECAUSE OF THE PERSONS WHO CAME
17 BEFORE ME WHO YIELDED THEIR TIME, SO I WOULD APPRECIATE IT IF
18 I COULD HAVE THAT TIME.

19

20 **SUP. BURKE, CHAIR:** YOU HAVE ALMOST THREE MINUTES LEFT. YOU
21 HAVE TWO MINUTES AND 37 SECONDS. IT WAS NOT EIGHT MINUTES.

22

23 **GWENDOLYN FLYNN:** RUTH YIELDED HER TIME AND CLAIRE CHISHOLM
24 YIELDED HER TIME. ALL RIGHT. SO LET ME CONTINUE BY SAYING THAT
25 AT THE MINIMUM WE'RE SEEKING NO MORE THAN 453 NEW AND/OR



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1 REDRILLED WELLS UNDER THE JURISDICTION OF L.A. COUNTY OVER THE
2 NEXT 20-YEAR PERIOD. AND A C.U.P. REQUIREMENT FOR ANY
3 APPLICATIONS IN EXCESS OF 20 WELLS PER YEAR. AS YOU KNOW, THE
4 OIL FIELD IS THE LARGEST URBAN OIL FIELD IN THE COUNTRY. IT'S
5 BEEN SUGGESTED THAT THE PROPOSED ORDINANCE REPRESENTS THE
6 STRICTEST REGULATIONS OF DRILLING OPERATIONS IN THE COUNTY.
7 HOWEVER, THE BALDWIN HILLS FIELD IS UNIQUE IN ITS SHEER SIZE,
8 PRODUCTION LEVEL AND PROXIMITY TO A DENSELY POPULATED AREA,
9 THUS REQUIRING A HIGHER LEVEL OF SCRUTINY THAN A SMALLER DRILL
10 SITE OR FIELD IN AN ISOLATED AREA. SO TO CHARACTERIZE THE
11 PROPOSED REGULATIONS AS A SIGNIFICANT ACCOMPLISHMENT IS TO
12 ALSO LIMIT THE COUNTY'S FAILURE TO PROVIDE AN APPROPRIATE
13 LEVEL OF PROTECTION PRIOR TO THE EVENTS AND HEALTH RISK OF
14 2006. YOU ALSO KNOW, AND IT'S BEEN DOCUMENTED, THE AREA
15 SURROUNDING THE OIL FIELD, MUCH LIKE THE GREATER SOUTH LOS
16 ANGELES REGION, SUFFERS DISPROPORTIONATELY HIGH RATES OF
17 ILLNESS AND DEATH DUE TO HEART DISEASE, CANCER, CHRONIC
18 RESPIRATORY CONDITIONS. AND WHILE THE SCIENCE ISN'T QUITE YET
19 THERE TO MAKE A STRONG CORRELATION BETWEEN THE DRILL SITE AND
20 CURRENT HEALTH DISPARITIES, IT'S CLEAR SEVERAL HAZARDOUS
21 CONDITIONS EXIST AS PART OF THE STANDARD OPERATIONS FOR WHICH
22 THE SCIENCE IS IRREFUTABLE. THE QUESTION BECOMES THE LEVEL OF
23 EXPOSURE AT ANY GIVEN TIME FOR BOTH THE SURROUNDING POPULATION
24 AND IMMEDIATE ENVIRONMENT AS A RESULT OF HUMAN OR TECHNICAL
25 ERROR. SO OUR OBJECTIONS AT THIS TIME ARE BASED ON THE



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1 FOLLOWING. THE PROPOSED 53 WELLS EXCEEDS THE LIMITS OF THE
2 FINAL E.I.R. AND L.A. COUNTY JURISDICTION. THE 53 WELLS
3 CONTEMPLATED IN THE FINAL E.I.R. INCLUDES BOTH THE WELLS IN
4 CULVER CITY AND L.A. COUNTY JURISDICTION. THIS NUMBER SHOULD
5 BE REDUCED TO REFLECT THE JURISDICTION OF THE COUNTY ONLY.
6 WHILE THE FINAL E.I.R. ALLOWS FOR 83 WELLS IN A SINGLE YEAR,
7 IT IS THE AVERAGE 53, THE COMBINED, THAT IS THE BASIS OF THE
8 HEALTH RISK STUDY CONTAINED WITHIN THE REVIEW. SO WE THEREFORE
9 REQUEST THE C.S.D. BE AMENDED TO CAP THE TOTAL NUMBER OF NEWLY
10 DRILLED WELLS OVER THE NEXT 20 YEARS TO A NET INCREASE OF NO
11 MORE THAN 453, WITH AN AVERAGE OF NO MORE THAN 30 WELLS PER
12 YEAR AND A NET INCREASE OF NO MORE THAN 22 WELLS PER YEAR. THE
13 C.S.D. ONLY PROVIDES FOR AD MINISTERIAL REVIEW. WE ARE
14 THEREFORE REQUESTING THE NUMBER OF NEW AND REDRILLED WELLS
15 PERMITS TO BE REVIEWED UNDER THE DIRECTOR'S REVIEW, BE LIMITED
16 TO 20 PER YEAR AND A NET INCREASE OF NO MORE THAN 10 WELLS IN
17 ANY SINGLE YEAR. THE AMENDMENTS MADE BY THE SUPERVISOR -- BY
18 SUPERVISOR BURKE REDUCES AIR QUALITY PROTECTIONS. THE
19 SUPERVISOR INTRODUCED AN AMENDMENT THAT ALLOWS THE OPERATOR TO
20 RETAIN THE OLD FLARE IF APPROVED BY SOUTH COAST A.Q.M.D. THE
21 RATIONALE FOR THIS IS UNCLEAR AND CAN ONLY BE EXPLAINED AS A
22 CONCESSION FOR THE BENEFIT OF THE OIL OPERATOR. THIS AMENDMENT
23 MUST BE REJECTED BY THE BOARD. FAILURE TO REQUIRE ONGOING
24 CLEAN-UP SHIFTS THE LIABILITY TO L.A. COUNTY AND TO ITS
25 TAXPAYERS. IT'S CRITICAL THAT THE BOARD LISTEN AND RESPOND TO



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1 THE CONCERNS OF THIS COMMUNITY. THE PROCESS IS BEING
2 CIRCUMVENTED IN OUR VIEW BY THE SECOND DISTRICT OFFICE. LET US
3 NOT FORGET THAT THE NOTICE OF PREPARATION WAS NOT RELEASED
4 UNTIL ONE YEAR AFTER THE START OF THE MORATORIUM. THE
5 OPERATOR, NOT THE COUNTY, DRAFTED THE C.S.D. THAT WAS STUDIED
6 IN THE E.I.R. THE OPERATOR, P.X.P., DID NOT SUBMIT ITS DRAFT
7 TO THE C.S.D. TO BE STUDIED IN THE E.I.R. UNTIL FOUR MONTHS
8 BEFORE THE END OF THE MORATORIUM. THERE ARE A NUMBER OF
9 UNRESOLVED ISSUES OF JURISDICTION WITH D.O.G.G.R. THAT HAVE
10 NOT BEEN ADEQUATELY ADDRESSED AND, IF RESOLVED, COULD PROVIDE
11 THE COUNTY AND COMMUNITY WITH THE ADDED PROTECTIONS IT SEEKS.
12 SO WE ASK THAT THE BOARD DO FOUR THINGS, THAT YOU POSTPONE THE
13 VOTE ON THE C.S.D., THAT YOU CONSULT WITH D.O.G.G.R. TO
14 DETERMINE THE AGENCY'S POSITION ON ISSUING A PERMIT IN THE
15 ABSENCE OF THE ADOPTION OF THE C.S.D., THAT YOU DIRECT THE
16 REGIONAL PLANNING STAFF TO ORGANIZE A MEETING BETWEEN
17 D.O.G.G.R., COUNTY COUNSEL AND REPRESENTATIVES FROM THE
18 GREATER BALDWIN HILLS ALLIANCE TO EXAMINE THE PROPOSED NET
19 INCREASE POLICY. AND FINALLY THAT YOU REJECT THE AMENDMENT
20 ALLOWING FOR THE RETENTION OF THE OLD FLARE. WHILE THE OIL
21 FIELD MAY BE LOCATED IN THE SECOND DISTRICT, THIS FIELD
22 CARRIES LARGER ENVIRONMENTAL IMPLICATIONS FOR THE ENTIRE
23 BASIN, AND THE BOARD MEMBERS -- AS BOARD MEMBERS, YOU CANNOT
24 DEFER TO THE SUPERVISOR OF THE SECOND DISTRICT ONLY TO DEFINE
25 THE C.S.D. IT'S TAKEN US -- IT'S TAKEN US FAR TOO LONG TO GET



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1 TO THIS POINT AND WE ASK THAT YOU PLEASE DO NOT UNDERMINE THIS
2 OPPORTUNITY BY RUBBER STAMPING AN INADEQUATE PUBLIC POLICY.
3 THANK YOU FOR LISTENING, AND I HAVE THE FULL TEXT OF THIS FOR
4 YOUR CONSIDERATION AND FOR YOUR STAFF.

5

6 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. I'M GOING TO JUST
7 CLEAR UP IMMEDIATELY THE WHOLE ISSUE OF THE SECOND FLARE. IN
8 THE EVENT ONE IS NOT WORKING, IF A.Q.M.D. APPROVES IT, YOU CAN
9 HAVE A BACKUP JUST TO MAKE SURE THAT THERE'S SAFETY. THANK YOU
10 VERY MUCH. THE SECOND ONE IS NOT PROVIDED FOR. ONLY IF THE
11 FIRST ONE IS NOT WORKING AND THEN A SECOND BACKUP ONLY IF
12 A.Q.M.D. AGREES THAT THEY WOULD ALLOW THAT OLD ONE, BECAUSE
13 IT'S NOT THE BRAND-NEW ONE. OKAY. WOULD YOU LIKE TO ADDRESS
14 THE ISSUE OF THE -- THE AIR ISSUE, OR DO YOU HAVE QUESTIONS
15 ABOUT -- MAYBE WE SHOULD LET EVERYONE ASK QUESTIONS ABOUT --

16

17 **SUP. YAROSLAVSKY:** I ASKED MY QUESTIONS LAST WEEK.

18

19 **SUP. BURKE, CHAIR:** OTHER QUESTIONS? WOULD YOU JUST ADDRESS THE
20 WHOLE AIR TESTING ISSUE AND THE ROLE OF D.O.G.G.R. AND THE
21 FACT THAT WE HAVE ALL OF THOSE AGENCIES THAT WILL BE MEETING
22 REGULARLY TO IMPLEMENT, TO LOOK AT IMPLEMENTATION.

23

24 **SPEAKER:** I THINK THE ISSUE THAT'S RAISED WITH REGARD TO
25 D.O.G.G.R. IS WHO HAS AUTHORITY OVER ABANDONMENT OF WELLS. AND



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1 I THINK THIS IS REALLY WHAT'S BEING TALKED ABOUT. AND IN
2 COMMUNICATION BETWEEN OURSELVES, THE COUNTY AND D.O.G.G.R., IT
3 WAS MADE ABUNDANTLY CLEAR THAT THEY'RE THE ONLY ONES THAT HAVE
4 AUTHORITY TO REQUIRE WELLS TO BE ABANDONED, THAT THE BEST THAT
5 THE COUNTY CAN DO UNDER STATE LAW IS TO REQUEST OF D.O.G.G.R.
6 THAT WELLS BE ABANDONED. I GUESS ONE OF THE OTHER ISSUES I
7 WANTED TO TALK ABOUT WAS THERE'S THIS ISSUE OF THE 453 MAXIMUM
8 NEW WELLS VERSUS THE 600. ONE THING C.E.Q.A. REQUIRES THAT AN
9 E.I.R. ANALYZE REASONABLE WORST-CASE ENVIRONMENTAL IMPACTS
10 FROM A PROJECT. AND YOU CAN'T JUST LOOK AT AVERAGES, WHICH IS
11 WHAT WAS DONE IN SOME OF THESE NUMBERS. AND WHAT WE DID IS WE
12 LOOKED AT WORST-CASE, WHICH ENDED UP BEING A TOTAL OF 880
13 PRODUCTION WELLS IN OPERATION AND 423 INJECTION WELLS. IF YOU
14 TAKE FROM THE NUMBER, THE PEAK YEAR THAT WE DETERMINED IF YOU
15 TAKE FROM THAT AND BACK OUT THE EXISTING WELLS, THE NET
16 INCREASE WOULD BE 660 WELLS. SO THE 600 THAT'S CURRENTLY IN
17 THE C.S.D. IS LESS THAN WHAT WAS ANALYZED IN THE E.I.R. YOU
18 CAN'T LOOK AT AVERAGES. YOU NEED TO LOOK AT PEAK ISSUES IN
19 TERMS OF DETERMINING IMPACTS TO ASSURE THAT YOU FULLY MITIGATE
20 THE WORST-CASE IMPACTS. WITH REGARD TO THE HEALTH, I THINK
21 WHAT I'D LIKE TO DO IS ASK MR. RAYDUS, WHO'S HERE, WHO DID THE
22 HEALTH WORK TO RESPOND TO SOME OF THOSE ISSUES.

23

24 **SUP. BURKE, CHAIR:** I THINK THAT WE'VE HEARD FROM HIM ALREADY.

25



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1 **SPEAKER:** OKAY.

2

3 **SUP. BURKE, CHAIR:** I'D LIKE TO SAY ONE THING, THAT I THINK
4 THAT ALL OF THE PEOPLE WHO CAME IN FROM THE ALLIANCE AND THE
5 COMMUNITY WERE VERY APPRECIATIVE OF THE WORK THAT YOU DID. I
6 WAS VERY SURPRISED TO HEAR THE CASTIGATION OF YOUR WORK TODAY,
7 PARTICULARLY WHEN ALL OF THE PEOPLE WHO WERE INVOLVED WERE SO
8 APPRECIATIVE. AND I SAY THAT, THE PEOPLE FROM THE ALLIANCE,
9 ALL OF THEM WERE VERY APPRECIATIVE OF THE CALIBER OF WORK THAT
10 WAS PUT TOGETHER BY YOU, AND BY YOUR OBJECTIVITY AND, OF
11 COURSE, I GUESS EVERYONE KNOWS THAT YOU DID THE WORK IN SANTA
12 BARBARA. YOU'VE DONE THE WORK ON MOST OF THOSE THAT ARE HIGH
13 VISIBILITY IN TERMS OF THE WHOLE ENVIRONMENTAL COMMUNITY. SO I
14 THINK IT'S UNFORTUNATE THAT IT WAS NECESSARY TO SAY SOME OF
15 THESE THINGS TODAY CONTRARY TO SOME OF THE THINGS THAT WERE
16 SAID BEFORE, BUT I THINK THEY'VE SAID THEM TO YOU DIRECTLY
17 THAT THEY APPRECIATE THE WORK AND I THINK IT'S UNFORTUNATE
18 THAT IT WAS NECESSARY TO DO THAT TODAY. BUT WITH THAT, I WILL
19 MOVE ITEM 24 AND 33. SECONDED BY ANTONOVICH. WITHOUT
20 OBJECTION, SO ORDERED. [INTERJECTIONS]

21

22 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. YOU HAD EXTRA TIME.
23 YOU MAY WRITE UP ANYTHING. THANK YOU VERY MUCH.

24

25 **SPEAKER:** (OFF-MIKE).



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1

2 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH! THANK YOU VERY MUCH,
3 DR. DEBENEDITTIS. THE NEXT ITEM?

4

5 **CLERK SACHI HAMAI:** WE ARE ON PUBLIC COMMENT.

6

7 **SUP. BURKE, CHAIR:** PUBLIC COMMENT. ALEXANDER GHAFFARI, MICHAEL
8 SUKEY, DENNIS ETTLIN, ARNOLD SACHS. PLEASE COME FORWARD ON
9 PUBLIC COMMENT. TWO MINUTES. WHERE ARE THEY? ALEXANDER
10 GHAFFARI, MICHAEL SUKEY. AND WE'LL THEN CALL UP NEXT THEN --
11 YES.

12

13 **SPEAKER:** ALEX WILL BE IN IN A MOMENT. HE'S COMING. OH, THERE
14 YOU GO.

15

16 **SUP. BURKE, CHAIR:** OKAY. ALL RIGHT. PLEASE STATE YOUR NAME.
17 TWO MINUTES FOR EACH PERSON.

18

19 **LORD ALEXANDER MONTAGUE:** I'M LORD ALEXANDER MONTAGUE. I'M THE
20 BRITISH 13TH DUKE OF MANCHESTER. JUST A LITTLE BIT OF HISTORY,
21 PRINCESS DIANA OF WALES WAS MY COUSIN. AND I'M HERE TO SPEAK
22 REGARDING MY RIGHTS AS A FATHER WITH MY CHILDREN. MY EX-WIFE
23 WORKS FOR LATHAM AND WATKINS. WHILE SHE WAS WORKING FOR LATHAM
24 AND WATKINS, SHE STOLE FILES AND SOLD THEM TO OTHER LAW FIRMS
25 THAT WAS IN LITIGATION WITH LATHAM AND WATKINS AND I HAVE



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1 DOCUMENTATION TO PROVE ALL OF THIS. I HAD VERBAL THREATS FROM
2 LATHAM AND WATKINS THAT IF I PROCEED WITH ANYTHING THAT I WAS
3 GOING TO -- SOMETHING WAS GOING TO HAPPEN TO ME. I GOT
4 SEVERELY BEATEN UP BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT
5 AND AM BEING CONSTANTLY THREATENED BY THE ORANGE COUNTY
6 SHERIFF'S DEPARTMENT, LATHAM AND WATKINS, BECAUSE OF THEIR
7 ILLEGAL ACTIONS. I'VE ALSO GOT DOCUMENTATIONAL PROOF THAT THE
8 JUDGE THAT WAS PRESIDING OVER MY CASE WAS STRONGLY INFLUENCED
9 IN WHAT WAY TO GO IN THE RULING. MY EX-WIFE WAS A VERY HEAVY
10 COCAINE ADDICT AND IS STILL AN ALCOHOLIC AND HAS COMPLETE
11 CONTROL OVER MY CHILDREN. THIS IS TAKEN AWAY. I DO UNDERSTAND
12 AND RESPECT THAT THERE ARE WOMEN WHO HAVE SIMILAR SITUATIONS,
13 BUT JUST BECAUSE SOMEONE HAS A LITTLE BIT OF POWER BECAUSE OF
14 A LAW FIRM THEY WORK FOR THAT A FATHER HAS NO RIGHTS AT ALL.
15 JUST FOR SOMETHING THAT IS BEING DONE WHICH IS COMPLETELY
16 ILLEGAL AND A LAW FIRM IS BACKING THIS UP, A REPUTABLE LAW
17 FIRM, LATHAM AND WATKINS.

18
19 **SUP. BURKE, CHAIR:** THANK YOU. WOULD YOU PLEASE STATE YOUR
20 NAME?

21
22 **FRED SOTTILE:** YES. I'M FRED SOTTILE, AND I'M HERE FOR A
23 SIMILAR KIND OF A STATEMENT. I, MY MOTHER, MY FOUR CHILDREN,
24 AND MY BROTHER HAVE NOT SEEN MY SEVEN CHILDREN --



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1 **SUP. BURKE, CHAIR:** I'M SORRY. WHAT WAS YOUR NAME?

2

3 **FRED SOTTILE:** FRED SOTTILE.

4

5 **SUP. BURKE, CHAIR:** OKAY. YES. ALL RIGHT. I DON'T THINK I
6 CALLED YOU, BUT THAT'S OKAY. I HAVE YOUR CARD.

7

8 **FRED SOTTILE:** THANK YOU. WELL, AS I WAS SAYING, I, MY MOTHER,
9 MY FOUR SISTERS AND MY BROTHER HAVE NOT SEEN MY SEVEN CHILDREN
10 FOR 10 YEARS NOW. OKAY? EACH TIME I GO TO COURT, I'M
11 CONFRONTED BY A PROFESSIONAL TEAM AGAINST ME. I HAVE NO WAY TO
12 REPRESENT MYSELF WHATSOEVER. I'M SILENCED, AND THERE IS NO ONE
13 TO REPRESENT NOT ONLY ME BUT MY CHILDREN'S INTERESTS AS WELL.
14 THEY'RE IN THE CUSTODY OF A WOMAN WHO, THROUGH PARENTAL
15 ALIENATION SYNDROME, HAS CONTROLLED THEM FOR THE LAST 10 YEARS
16 AND CONTINUES TO DO SO. IN THAT 10-YEAR TIME, I'VE BECOME
17 ACQUAINTED WITH THE TITLE IV-D -- AND THE BRADLEY AMENDMENT,
18 I'M SURE YOU KNOW ALL ABOUT THESE THINGS. AND I'M NOW VERY,
19 VERY AWARE OF THE FAMILY LAW BUSINESS. LAST WEEK, WHILE
20 WATCHING THE NEWS ON T.V., I SAW WHERE LOS ANGELES COUNTY
21 ACTUALLY PAYS THEIR JUDGES, WHICH IS AN ILLEGAL THING TO DO IN
22 THIS STATE, AND THOSE JUDGES EXTRACT MONEY FROM ME AND
23 COUNTLESS THOUSANDS AND THOUSANDS OF OTHER PARENTS WHO ARE
24 VICTIMIZED BY FAMILY COURT, SO I JUST WANT TO SAY THAT IF THE
25 CASE OF STURGEON VERSUS LOS ANGELES COMES UP FOR REVIEW OR



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1 ANYTHING LIKE THAT, THERE CAN BE NO APPEAL ON THIS. THIS IS A
2 FACT THE COUNTY HAS VIOLATED THE LAW, THESE JUDGES ARE BEING
3 PAID TO VICTIMIZE FAMILIES. I BETTER NOT SAY ANYMORE. THANK
4 YOU.

5

6 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME.

7

8 **FRED SOTTILE:** PARDON ME?

9

10 **SUP. MOLINA:** (OFF-MIKE).

11

12 **FRED SOTTILE:** THAT I WENT LAST TIME? MARSHALL RIEGGER.

13

14 **SUP. MOLINA:** MARSHALL REED?

15

16 **FRED SOTTILE:** MARSHALL RIEGGER.

17

18 **SUP. MOLINA:** AND IT WAS AT THE L.A. COURTHOUSE, OR WHICH ONE?

19

20 **FRED SOTTILE:** YES. AT THE IT WAS ONE AT COMMONWEALTH.

21

22 **SUP. MOLINA:** THANK YOU.

23



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1 **FRED SOTTILE:** I WAS -- HE WANTED TO FIND IN MY FAVOR BUT HE
2 WAS SILENCED BY A RADICAL FEMINIST WATCHDOG WHO DIDN'T EVEN
3 ANNOUNCE HER NAME AND SHUT HIM DOWN COLD.

4

5 **SUP. MOLINA:** I'M SURE THE JUDGE WAS THREATENED BY HER, I'M
6 SURE.

7

8 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME. AND ARNOLD SACHS, I
9 CALLED YOU, WOULD YOU LIKE TO COME UP? YES, PLEASE STATE YOUR
10 NAME. AND THEN JOHN RIZZO.

11

12 **DENNIS ETTLIN:** GOOD AFTERNOON. MY NAME IS DENNIS ETTLIN, I
13 LIVE IN TORRANCE. I AM THE TORRANCE ORGANIZER FOR FATHERS FOR
14 JUSTICE, I AM IN FRONT OF THE TORRANCE COURTHOUSE, MR.
15 KNABE'S, DISTRICT EVERY MORNING FOR ABOUT AN HOUR. AND I'M
16 WELL ACQUAINTED WITH COMMISSIONER VEECEE COMMISSIONER SLAWSON,
17 HAVING TAKEN BOTH OF THEM TO APPEALS COURT. DIVORCE COURT
18 JUDGES DISCRIMINATE AGAINST MEN --

19

20 **SUP. BURKE, CHAIR:** (OFF-MIKE). I'M SORRY. GO AHEAD.

21

22 **DENNIS ETTLIN:** DIVORCE COURT JUDGES DISCRIMINATE AGAINST MEN
23 AND I OPPOSE ANY COUNTY FUNDS BEING USED TO REWARD THEIR
24 ABUSIVE BEHAVIOR. THAT BEHAVIOR TEARS CHILDREN FROM THEIR
25 PARENTS AND SUBJECTS PARENTS TO UNFAIR FINANCIAL BURDENS AND



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1 HELPLESSNESS. THE JUDGES THAT I MENTIONED AND JUDGES THAT I AM
2 FAMILIAR WITH FROM OTHER CASES HAVE, WITH YOUR SUPPORT,
3 GREATLY UNDERMINED OUR SENSE OF JUSTICE AND FAIRNESS AND
4 EQUALITY BY THEIR ACTIONS WHICH BASICALLY, IN MANY CASES, HAVE
5 A STRONG APPEARANCE OF BEING REWARDED BY TITLE IV-D INCENTIVE
6 MONEYS, OF WHICH THERE ARE \$500 MILLION NATIONALLY JUST FOR
7 BONUSES IN 2008. AND THEY ARE REWARDED WITH THE TITLE IV, I
8 THINK IT'S "B" OR "C" FUNDS TO SUPPORT THE OPERATION OF THE
9 FAMILY COURTS. THOSE FUNDS ENCOURAGE UNNECESSARY LEGAL
10 DESTRUCTION OF FAMILIES THAT MOST MIDDLE CLASS FAMILIES CANNOT
11 AFFORD THAT KIND OF LEGAL EXPENSE. I MYSELF SPENT OVER
12 \$300,000 ON LEGAL AND ACCOUNTING FEES. THANK YOU VERY MUCH.

13

14 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME SIR, AND
15 THEN WE'LL CALL UP LORD ALEXANDER -- OH, DID LORD -- HE SPOKE,
16 YES. ALL RIGHT. JERRY LYLES.

17

18 **MICHAEL SUKEY:** LOOKS LIKE I'M BATTING CLEAN-UP TODAY. LADIES
19 AND GENTLEMEN OF THE BOARD. MY NAME IS MICHAEL SUKEY, FATHER
20 OF A BEAUTIFUL 4-YEAR-OLD DAUGHTER NAMED ALYSSA. AND I AM A
21 MEMBER OF THE FATHERS FOR JUSTICE ORGANIZATION. I APPEAR
22 BEFORE YOU TODAY TO SHARE MY EXPERIENCE IN THE LOS ANGELES
23 COUNTY COURT SYSTEM. I OPPOSE ANY COUNTY FUNDS AND MY TAX
24 DOLLARS TO BE USED AS REWARDS OR INCENTIVES TO COUNTY COURT
25 JUDGES UNTIL SUCH BIAS IN THE SYSTEM AGAINST MEN HAS



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1 COMPLETELY EVAPORATED AND LOVING FATHERS ARE TREATED AS
2 PARENTAL EQUALS IN THE FAMILY COURTS. I HAVE BEEN CONTESTING A
3 RELOCATION PETITION IN THE SOUTHWEST DISTRICT OF FAMILY COURT
4 FOR 3-1/2 YEARS AND \$100,000. MY CASE HAS BEEN PRESIDED OVER
5 BY DEPARTMENT "J" IN TORRANCE. DURING THOSE PROCEEDINGS, A
6 SCENARIO DEVELOPED THAT WAS TENDER IN NATURE DURING MY OWN
7 TESTIMONY WHERE I WAS COMPELLED TO APOLOGIZE TO HER HONOR FOR
8 THE SITUATION SHE WAS IN AND IN MAKING A DECISION IN THIS
9 CASE. HER HONOR THEN BOASTED THAT SHE WAS -- THAT THIS WAS THE
10 EXACT REASON SHE HAD BEEN APPOINTED TO THE BENCH AND WHY SHE
11 MAKES THE BIG BUCKS. IN A LATER HEARING, HER HONOR COMMITTED
12 PROCEDURAL ERRORS BY HER OWN ADMISSION IN ACCEPTING BARRED
13 EVIDENCE INTO HER JUDGMENT THAT ALLOWED THE MOTHER OF MY BABY
14 TO RELOCATE 3,000 MILES AWAY. TODAY, I REQUEST THAT YOU, THE
15 COUNTY BOARD OF SUPERVISORS, NOT ATTEMPT TO REPEAL THE RECENT
16 FEDERAL COURT DECISION AGAINST INCENTIVES PAID TO COUNTY COURT
17 JUDGES. THANK YOU FOR YOUR TIME.

18
19 **SUP. BURKE, CHAIR:** ALEXANDER GHAFARI, DID YOU COME FORWARD?
20 ARNOLD SACHS IS HERE. ARNOLD SACHS. JERRY LYLES.

21
22 **ARNOLD SACHS:** THANK YOU. GOOD AFTERNOON, WITH THE PROPS TO THE
23 MIGHTY CARSON ART PLAYERS, I'D LIKE TO INTRODUCE THE MIGHTIER
24 COUNTY BOARD OF SUPERVISORS. IF YOU HAVEN'T HEARD, LAST WEEK



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1 AT THE M.T.A., ZEV YAROSLAVSKY, YVONNE PRISSY BURKE, GLORIA
2 SCARLET MOLINA --

3

4 **SUP. YAROSLAVSKY:** PERSONAL KINDS OF -- THOSE KINDS OF PERSONAL
5 REMARKS ARE INAPPROPRIATE. THEY'RE FINE IF YOU WANT TO SAY
6 THEM ABOUT ME, BUT YOU DON'T SAY THEM ABOUT ANYBODY ELSE. AND
7 YOU'RE TAKING A LOT OF LICENSE, MR. SACHS, AND YOU'VE CROSSED
8 THE LINE. I WOULD ASK THAT YOU ASK HIM TO COME BACK NEXT WEEK
9 AND THINK ABOUT THAT. YOU JUST DON'T DO THAT. WE JUST HAD A
10 CONVERSATION ABOUT DIMINUTION OF PEOPLE'S CHARACTER AROUND
11 HERE ABOUT A HALF AN HOUR AGO. SO I WOULD ASK THAT YOU JUST
12 EXCUSE HIM. HE KNOWS BETTER. HE'S HERE EVERY WEEK, SPEAKS ON
13 15 OR 20 ITEMS. AND HE'S TESTING IT, AND HE'S CROSSED THE
14 LINE. I WOULD ASK THAT WE MOVE ON TO THE NEXT TESTIFIER.

15

16 **SUP. BURKE, CHAIR:** THERE ARE SOME LIMITATIONS. MR. RIZZO,
17 JERRY LYLES, EDGARDO RIVAS, AL COLE.

18

19 **JOHN RIZZO:** JOHN RIZZO, PRESIDENT OF THE MARINA TENANTS'
20 ASSOCIATION. RECENTLY THE APPELLATE COURT RULED THAT THE
21 \$44,000 BONUSES THE COUNTY WAS GIVING THE SUPERIOR COURT
22 JUDGES WAS ILLEGAL. THE LOS ANGELES TIMES, IN REPORTING ON
23 THIS, SAID THAT COURTS LOSE PERKS. HOW HAS THIS PERK
24 TRANSLATED ITSELF TO THE COUNTY OF LOS ANGELES? WHEN WE SUED
25 THE COUNTY IN SUPERIOR COURT OVER THE ISSUES THAT THE COUNTY



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1 WAS LOSING TENS OF MILLIONS OF DOLLARS IN REVENUE FROM MARINA
2 DEL REY, A PUBLIC MARINA, AND THAT THE PUBLIC WHO USES THE
3 MARINA ARE PAYING MILLIONS OF DOLLARS IN OVERCHARGES TO THE
4 LESSEES IN THE MARINA WHO GIVE MEMBERS OF THE BOARD OF
5 SUPERVISORS LARGE CAMPAIGN CONTRIBUTIONS. THE SUPERIOR COURT
6 WOULD NOT LET US GO TO TRIAL ON THE MERITS OF THE CASE. WHEN
7 IS \$44,000 A PERK AND WHEN IS IT A BRIBE? DON'T APPEAL THE
8 APPELLATE COURT DECISION TO THIS SUPREME COURT. LET'S CLEAN UP
9 THE COURTS AND THE MARINA.

10

11 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. JERRY LYLES.

12

13 **JERRY LYLES:** YES, MA'AM. MY NAME IS JERRY LYLES AND I WOULD
14 LIKE TO THANK MR. MIKE ANTONOVICH, WE'RE HAVING A MEETING NEXT
15 MONTH ON NOVEMBER 24TH. BUT I'M HERE BECAUSE I HAVE A SERIOUS
16 PROBLEM. MY SON ATTENDED A NEW SCHOOL IN THE COMMUNITY, A
17 SCHOOL CALLED WEST VALLEY. AND MY SON WAS ATTACKED BY HIS
18 PREVIOUS ATTACKER FROM A SCHOOL THAT BEAT HIM DOWN IN SCHOOL.
19 THEY SENT THIS KID TO CAMP. MY SON'S MOM PICKED HIM UP ON
20 THURSDAY AND THE KID AND HIS BROTHER WAS OUTSIDE THE SCHOOL
21 WITH A HOST OF OTHER INDIVIDUALS AND THEY BEGAN SPEWING
22 EFFIGIES OUT TO THE MOTHER AND THREATENING MY SON. WELL, MY
23 SON'S MOTHER PULLED OUT FROM THE SCHOOL WITH HIM IN THE
24 VEHICLE. THEY ATTACKED THE VEHICLE. MY SON GOT OUT FROM THE
25 VEHICLE TO LOOK TO SEE WHAT DAMAGE WAS DONE TO THE VEHICLE. HE



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1 WAS AGAIN ATTACKED. BUT WHAT I'M HERE FOR IS BECAUSE WITH THE
2 SHERIFF'S DEPARTMENT, THIS HAPPENED ON LAST THURSDAY, I
3 CONTACTED THE SHERIFF'S DEPARTMENT THAT FRIDAY AND NOTIFIED
4 THE SHERIFF'S DEPARTMENT, "HEY, MY SON HAS BEEN ATTACKED, I
5 NEED TO GET HIM TO THE SCHOOL, I NEED TO FIND OUT WHAT'S
6 HAPPENING." I CALLED TIME AND TIME AND TIME AND I FINALLY, I
7 SPOKE TO THE PRINCIPAL THREE TIMES. AND WHEN I SPOKE TO HER, I
8 SAID, "HEY, LOOK HERE, I NEED TO GET THEM OUT THERE TO GET
9 THEIR STATEMENTS IN." I COULDN'T GET MY STATEMENTS IN, SO I
10 TOOK THEM TO THE LENNOX STATION, WHICH IS IN YOUR DISTRICT MS.
11 BURKE. THEY TOOK THE STATEMENTS AND THEY TOOK PICTURES OF MY
12 SON AND THE INJURIES. AND THEY FOUND MY SON TO BE THE VICTIM
13 BUT YET STILL IN THE ANTELOPE VALLEY, HE'S THE AGGRESSOR. MY
14 SON HAD WOUNDS ON HIS ARMS, HE HAD BRUISES ON HIS BACK, BUT
15 WHEN THE SHERIFF TOOK HIM IN, THEY TOOK NO PICTURES OR NOTHING
16 LIKE THAT. THEY DIDN'T COME TO THE HOUSE AND SAY, "HEY, WAIT A
17 MINUTE, WE NEED TO GET STATEMENTS." SO WHEN I BROUGHT HIM BACK
18 THAT MORNING, THE NEXT THING I KNOW, THEY GOT MY SONS AND
19 MYSELF ON THE CURB IN UNDERWEAR IN HANDCUFFS. AND I SAID,
20 "HEY, WAIT A MINUTE, I CALLED THE SCHOOL THIS MORNING TO LET
21 YOU KNOW THAT I'M WAITING IN THE OFFICE TO COME OUT TO
22 INTERVIEW." AND I DON'T THINK THAT WAS RIGHT FOR MY SON TO BE,
23 AND THEIR PARENTS TO BE OUT ON THE CURB IN THEIR UNDERWEAR.
24 AND MORE THAN THAT, I'VE BEEN GETTING -- SINCE I CONTACTED
25 YOUR OFFICE, MR. ANTONOVICH, I'VE BEEN GETTING THREATS FROM



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1 PEOPLE. "HEY, LOOK HERE, WE DON'T LIKE THAT YOU CONTACTED MR.
2 ANTONOVICH." AND THE LAST THREAT CAME FROM MISS STACEY BRAND,
3 SHE'S OVER AT THE HIGH SCHOOL THAT WAS CONTACTED BY YOUR
4 OFFICE, AND I COULDN'T GET THAT. I SAID, "HEY, I HAVE A RIGHT
5 TO CONTACT HIM." BUT I'VE BEEN GETTING ALL KINDS OF THREATS.
6 MY KIDS NOW SIT IN CUSTODY --

7

8 **SUP. BURKE, CHAIR:** MR. LYLES, ALL RIGHT, SOMEONE WILL SPEAK TO
9 YOU.

10

11 **JERRY LYLES:** OH, THANK YOU. I'M SORRY. THANK YOU.

12

13 **SUP. BURKE, CHAIR:** EDGARDO RIVAS, AL COLE, WALTER BECKTEL AND
14 RICHARD FINES, PLEASE COME FORWARD. YES, MR. RIVAS.

15

16 **EDGARDO G. RIVAS:** MR. ANTONOVICH. MR. ANTONOVICH? ARE YOU
17 GOING TO PUT MY CASE IN THE AGENDA? TWO MINUTES IS NOT ENOUGH
18 FOR ME TO RESOLVE THE ISSUES THAT I HAVE WITH THE COUNTY,
19 LEGAL DEPARTMENT, AND ALSO YOUR MENTAL HEALTH DEPARTMENT WHICH
20 HAVE CREATED A LOT, TREMENDOUS DAMAGE TO ME, ILLEGAL
21 MALPRACTICE AND MEDICAL MALPRACTICE. ARE YOU GOING TO PUT MY
22 CASE ON THE AGENDA? BECAUSE TWO MINUTES IS NOT ENOUGH. THE 28,
23 29 YEARS THAT I'VE KNOWN YOU, BACK IN '77, WHEN YOU STARTED
24 WORKING FOR R.T.D., YOU HAVE DONE NOTHING FOR MY CASE OR
25 NOTHING FOR ME. I AM ASKING YOU, I DO NOT WANT TO DEAL WITH



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1 LITA ERICKSON, I WANT YOU TO PUT A STOP TO THAT. AND I NEED TO
2 RESOLVE MY PROBLEMS OR I THINK, IN MY OPINION, I HAVE A GOOD,
3 TREMENDOUS, BIG LAWSUIT AGAINST THE COUNTY FOR YOUR MEDICAL
4 MALPRACTICE AND YOUR LEGAL MALPRACTICE AND AVOIDING AND
5 PUTTING A TEAM TOGETHER AT R.T.D.M. AGAINST ME.

6

7 **SUP. ANTONOVICH:** (OFF-MIKE). THEY HAVE ADDRESSED YOUR CASE AND
8 IT'S BEEN ADJUDICATED --

9

10 **EDGARDO G. RIVAS:** NO, IT HAS NOT BEEN ADJUDICATED FOR THE
11 REASON IS THAT YOU CONTINUE -- YOUR PEOPLE CONTINUE HARASSING
12 ME. YOU DON'T OBEY THE LETTERS OR MEANINGS, YOU NEVER GIVE ME
13 NO ANSWERS BACK. GLORIA MOLINA HAD A TIME -- SHE PLAYED A
14 DOCTOR AT ONE TIME. I LIVE IN HER DISTRICT IN MONTEBELLO. SHE
15 PLAYED DOCTOR. MRS. BURKE NEVER DONE NOTHING. BUT I NEED AN
16 ANSWER OR I WILL DEMAND NOT TO SPEAK WITH LITA ERICKSON. AND
17 YOU NEED TO RESOLVE MY PROBLEMS WITH THE MENTAL HEALTH
18 DEPARTMENT AND ALSO WITH YOUR LEGAL DEPARTMENT THAT THIS MAN
19 IS CONCLUDING CREATING CORRUPTION AND YOU ARE PARTICIPATING.

20

21 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH.

22

23 **EDGARDO G. RIVAS:** AND I THINK YOU ARE INFLUENCED BY THIS MAN
24 TO CONTINUE HARASSING ME AND NOT SHOWING ME ANY RESPECT.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH.

2

3 **SUP. ANTONOVICH:** MR. FORTNER, WHAT ARE HIS LEGAL RIGHTS? HIS
4 LEGAL RIGHTS ARE WHAT?

5

6 **EDGARDO G. RIVAS:** YOU WANT ME TO GO TO LEGAL RIGHTS?

7

8 **RAYMOND G. FORTNER, JR.:** AT THIS POINT, MADAME CHAIR AND
9 MEMBERS OF THE BOARD, IF HE FELT THAT HE HAD A CLAIM AGAINST
10 THE COUNTY, HE HAS BEEN INVOLVED IN LITIGATION AGAINST THE
11 TRANSPORTATION AGENCIES MANY YEARS AGO. THEY'VE BEEN LONG
12 CONCLUDED IN A MANNER NOT SATISFACTORY TO HIM AND HE IS NOW
13 BRINGING THESE SAME ISSUES BACK TO US.

14

15 **SUP. ANTONOVICH:** INCLUDED BY THE COURTS?

16

17 **RAYMOND G. FORTNER, JR.:** YES. HIS PROCEEDINGS HAVE BEEN
18 ADJUDICATED, FINAL.

19

20 **EDGARDO G. RIVAS:** LET ME GIVE YOU AN ANSWER BACK TO HIM.

21

22 **SUP. BURKE, CHAIR:** I'M SORRY. YOUR TIME HAS EXPIRED HERE.

23

24 **EDGARDO G. RIVAS:** THAT'S WHY I --

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. BURKE, CHAIR:** YOU CAN GO OVER THERE. AL COLE, WALTER
2 BECKTEL. HE'S FINISHED. HIS TIME IS EXPIRED AND HE'S GOING TO
3 GO OVER THERE.

4

5 **EDGARDO G. RIVAS:** WHY DON'T WE GET A MEETING?

6

7 **SUP. ANTONOVICH:** I CAN'T OVERRULE THE JUDGE ANY MORE THAN ONE
8 OF THE OTHER SUPERVISORS.

9

10 **SUP. BURKE, CHAIR:** ALL RIGHT. WE'RE NOT GOING TO -- MIKE, I
11 THINK WE REALLY CAN'T GET INTO THAT WITH HIM. HAVE SOMEONE
12 FROM YOUR STAFF TALK TO HIM. AL COLE.

13

14 **AL COLE:** AL COLE. YEAH, I'VE BEEN ABUSED BY THE DIVORCE COURT
15 DEPARTMENT. DIVORCE COURT JUDGES DISCRIMINATE AGAINST MEN. AND
16 I OPPOSE ANY COUNTY FUNDS TO REWARD THEM UNTIL THEY STOP
17 DISCRIMINATION AGAINST MEN BY DENYING FATHERS CUSTODY OF THEIR
18 KIDS AND SADDLING MEN WITH ALIMONY, CHILD SUPPORT AND
19 UNREASONABLE FINANCIAL BURDENS, JAIL, HOMELESSNESS. LET'S STOP
20 GENDER DISCRIMINATION IN DIVORCE COURT. KIDS NEED BOTH PARENTS
21 IN THEIR LIVES.

22

23 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. COULD WE HAVE BYRON
24 BOBBITT AND JOHN NAHHAS, PLEASE COME FORWARD. ALL RIGHT.
25 WALTER BECKTEL.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **WALTER BECKTEL:** YOU WANT ME TO SPEAK NOW?

3

4 **SUP. BURKE, CHAIR:** YES, PLEASE.

5

6 **WALTER BECKTEL:** I HAD NOT BEEN WANTING TO SAY SOMETHING ABOUT
7 THIS, BUT I HAVE SOME CIRCUMSTANTIAL EVIDENCE AS AN ARTIST
8 ABOUT A POLITICAL CANDIDATE RUNNING FOR OFFICE. I'M NOT SURE
9 WHICH VENUE TO BRING IT TO. IF HE'S RUNNING FOR OFFICE RIGHT
10 NOW, AS I UNDERSTAND IT, THE PROPER VENTURE WOULD BE LIKE A
11 FORUM LIKE THIS TO SAY SOMETHING ABOUT SOMEBODY. I HAVE, AS AN
12 ARTIST, SOME INFORMATION ABOUT SOMEBODY THAT -- WHO IS RUNNING
13 FOR OFFICE RIGHT NOW. I WASN'T GOING TO SAY SOMETHING. I THINK
14 MOST OF YOU REMEMBER THIS PICTURE. THIS IS A PICTURE OF THE
15 SUSPECT, AND A NOTORIOUS B.I.G. MURDER SUSPECT. THIS PICTURE
16 WAS DRAWN ON THE 11TH OF MARCH, 1997. OKAY? THIS IS A PICTURE
17 OF BARACK OBAMA. HE'S RUNNING FOR PRESIDENT OF THE UNITED
18 STATES OF AMERICA. OKAY. AS AN ARTIST, I'M TELLING YOU, THERE
19 ARE MATCHES HERE WITH BOTH OF THE DRAWINGS HERE. HE HAS A MOLE
20 TO THE LEFT OF HIS NOSE, HE HAS A BROKEN NOSE, HE ALSO HAS --

21

22 **SUP. BURKE, CHAIR:** I DON'T THINK OBAMA HAS A BROKEN NOSE.

23

24 **AL COLE:** WELL, IT IS SOMEWHAT. I'VE SEEN VERY MANY PICTURES OF
25 HIM, I'VE DONE DRAWINGS BEFORE. I HAVE A DEGREE AT THE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 UNIVERSITY OF CALIFORNIA-SAN DIEGO. THAT IS THE SAME COLLEGE
2 THAT QUINCEY TRUPAY WAS A PROFESSOR OF. I GRADUATED THERE,
3 I'VE BEEN INVOLVED WITH MUSIC PEOPLE.

4

5 **SUP. BURKE, CHAIR:** I THINK THAT WHAT YOU SHOULD DO IS TAKE
6 THAT TO THE JUSTICE DEPARTMENT.

7

8 **AL COLE:** WHICH --

9

10 **SUP. BURKE, CHAIR:** BECAUSE HE'S RUNNING FOR FEDERAL OFFICE.
11 THE JUSTICE DEPARTMENT WOULD BE THE ONE, FEDERAL BUILDING.

12

13 **AL COLE:** I'M NOT SURE. THE FEDERAL BUILDING HERE, OR OVER
14 THERE?

15

16 **SUP. BURKE, CHAIR:** OVER -- DOWNTOWN IS FINE.

17

18 **AL COLE:** DOWNTOWN. OKAY. I HAVE OTHER INFORMATION AS WELL. I'M
19 NOT SURE --

20

21 **SUP. BURKE, CHAIR:** I'M SURE THEY WOULD LIKE TO GET THE
22 INFORMATION.

23

24 **AL COLE:** OKAY, I HAVE A LOT OF INFORMATION.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. BURKE, CHAIR:** OKAY. VERY GOOD.

2

3 **SUP. YAROSLAVSKY:** TELL THEM MRS. BURKE SENT YOU.

4

5 **SUP. BURKE, CHAIR:** JOHN NAHHAS AND DON SEXTON. YES, PLEASE.

6

7 **RICHARD FINE:** MY NAME IS RICHARD FINE. THE GENTLEMAN BEFORE
8 HAD SEATED THE REST OF HIS TIME TO ME. I'M COMING HERE AS THE
9 NATIONAL SPOKESPERSON FOR DISCLOSURE WATCH, AND ALSO AS THE
10 ATTORNEY IN 2002 WHO BROUGHT THE CASE AGAINST THE COUNTY WITH
11 RESPECT TO THE JUDICIAL BENEFITS. I'M HERE TO URGE YOU TO NOT
12 APPEAL THE STURGEON CASE TO THE CALIFORNIA SUPREME COURT. ONE
13 OF THE THINGS IS, BACK IN 1988 WHEN YOU RECEIVED YOUR OPINION
14 FROM THE COUNTY COUNSEL AS TO GIVING THESE BENEFITS, THAT
15 OPINION UNFORTUNATELY WAS WRONG WHEN YOU COMPARE THAT OPINION
16 TO THE DECISION OF THE CALIFORNIA APPELLATE COURT. A SECOND
17 THING IS THAT FROM 1988 THROUGH THE PRESENT, YOU SPENT
18 APPROXIMATELY \$20 MILLION A YEAR ON THESE JUDICIAL BENEFITS,
19 OR APPROXIMATELY \$400 MILLION HAS BEEN SPENT ON THE BENEFITS.
20 THE TIME HAS NOW COME TO STOP THAT. WHEN YOU ADD THAT \$400
21 MILLION TO MR. RIZZO'S CASE, WHICH WAS LOOKING FOR
22 APPROXIMATELY \$70 MILLION A YEAR IN MONEY THAT SHOULD HAVE
23 COME BACK TO THE COUNTY WITH RESPECT TO THE PAYMENTS ON THE
24 MARINA THAT THE COUNTY DID NOT RECEIVE, YOU ARE LOOKING AT
25 ANOTHER APPROXIMATELY \$1.1 BILLION OF MONEY THAT SHOULD HAVE



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1 COME TO THE PEOPLE. THOSE FIGURES ALONE SHOULD BE ENOUGH TO
2 CONVINCED THE BOARD THAT ENOUGH MONEY HAS BEEN SPENT ON THE
3 JUDICIAL BENEFITS. THEN FINALLY, WHEN YOU LOOK AT THE LAST
4 THREE LITIGATION REPORTS THAT YOU'VE RECEIVED FROM COUNTY
5 COUNSEL, YOU WILL SEE THAT NOT ONE CASE WAS DECIDED IN FAVOR
6 OF A PLAINTIFF AGAINST THE COUNTY WHEN THE JUDGE MADE THE
7 DECISION. IT'S VERY, VERY INTERESTING. LOOK AT EACH ONE OF
8 THESE REPORTS AND YOU WILL FIND THAT THERE IS NOT ONE CASE
9 THAT HAS BEEN SHOWN TO HAVE BEEN DECIDED BY A JUDGE IN FAVOR
10 OF THE PLAINTIFFS. THE EFFECT IS THAT THIS \$46,000 A YEAR,
11 WHICH IS NOW THE AMOUNT THAT IS BEING GIVEN TO THESE JUDGES,
12 HAS HAD AN EFFECT ON THE JUDGES OF HAVING THEM DECIDE IN FAVOR
13 OF THE COUNTY. WHETHER YOU INTENDED TO DO THAT OR WHETHER YOU
14 DIDN'T INTEND TO DO THAT, THAT WAS THE EFFECT. AND WHEN THE
15 BOARD DECIDED TO GIVE THIS MONEY, THE REASON THEY GAVE BACK IN
16 1988 WAS TO ATTRACT AND RETAIN QUALIFIED JUDGES FOR THIS
17 COUNTY. NOW, THAT IS OPEN LANGUAGE AND THE REPORT SHOWED THAT
18 THE JUDGES ARE EMPLOYED BY THE STATE. COUNTY HAD NOTHING
19 WHATSOEVER TO DO TO ATTRACT AND RETAIN JUDGES. SO PUTTING ALL
20 THAT TOGETHER, I RESPECTFULLY SUGGEST THAT YOU MAY WISH TO
21 CONSIDER TO GET OUT OF THE BUSINESS OF RETRACTING AND
22 RETAINING JUDGES FOR LOS ANGELES AND TAKE THAT \$1.1 BILLION
23 THAT HAS BEEN LOST AND PUT IT TO WORK WHERE FOR THE PEOPLE OF
24 THE COUNTY OF LOS ANGELES. THANK YOU VERY MUCH.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. DON SAXTON AND
2 REVEREND TILLMAN. PLEASE STATE YOUR NAME, SIR.

3

4 **JOHN NAHHAS:** GOOD AFTERNOON, MADAM CHAIR, MY NAME IS JOHN
5 NAHHAS. GOOD AFTERNOON, SUPERVISORS. A COUPLE MONTHS AGO, I
6 COMMENDED MR. YAROSLAVSKY ON HIS DILIGENCE WHEN HE WAS ASKING
7 QUESTIONS. AND TODAY I SAT IN THIS AUDIENCE FOR SEVERAL HOURS
8 AND I WATCHED SUPERVISOR ANTONOVICH AND ALSO SUPERVISOR MOLINA
9 ASK THESE TOUGH QUESTIONS. AND MY CONCERN IS WE DON'T HEAR
10 THAT ENOUGH, AND IT ONLY COMES IN A CRISIS SITUATION. AND I
11 KNOW THAT THIS HAPPENS ON A DAILY BASIS. MAYBE WE'RE NOT PRIVY
12 TO IT, BUT I WANT TO MAKE SURE THAT THESE THINGS GET BROUGHT
13 UP TO YOU. THE REVISED FINDINGS OF THE COASTAL COMMISSION, OF
14 THE MARINA DEL REY L.C.P. REVIEW ARE NEARLY FINISHED. AND NOW
15 BEGINS THE PROCESS WHERE L.A. COUNTY CAN RESPOND TO THOSE
16 FINDINGS. NUMEROUS COMMUNITY MEMBERS HAVE SAID THAT THE
17 PROCESS IN THE PAST HAS FAILED AND THAT YOU DON'T HAVE ENOUGH
18 INPUT FROM THE COMMUNITY. WE WANT TO MAKE SURE THAT THAT HAS
19 CHANGED. PLEASE TAKE THE ADVICE OF THE COASTAL COMMISSION,
20 FOLLOW THEIR GUIDELINES AND ASK THOSE TOUGH QUESTIONS WHEN
21 THEY COME IN FRONT OF YOU. SUPERVISORS, TOMORROW IS A MEETING,
22 A VERY IMPORTANT MEETING IN MARINA DEL REY. REGIONAL PLANNING
23 HAS SENT OUT 20,000 POSTCARDS. AND DO YOU KNOW, UNTIL 11:00
24 THIS MORNING, AN AGENDA HAS NOT BEEN PREPARED. GINA NATOLI OF
25 REGIONAL PLANNING HAD SPECIFICALLY TOLD ME IN AN EMAIL THAT NO



**The Meeting Transcript of
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1 AGENDA HAS BEEN FINALIZED FOR THIS MEETING TOMORROW INVOLVING
2 POSSIBLY 20,000 PEOPLE. I DON'T UNDERSTAND HOW WE COULD GET SO
3 BACKWARDS ON THIS. AND I THINK THAT THERE NEEDS TO BE
4 OVERSIGHT, KIND OF LIKE THE QUESTIONS THAT MISS MOLINA, MR.
5 ANTONOVICH WERE ASKING TODAY, WHERE DO YOU GET TO A POINT
6 WHERE YOU HAVE THIS MAJOR COMMUNITY MEETING, 20,000 POSTCARDS
7 OF TAXPAYER MONEY THAT ARE SENT OUT, AND NO OVERSIGHT TO FIND
8 OUT IF YOU EVEN HAVE AN AGENDA. YOU'RE GOING TO GET TOMORROW
9 TO ALL THESE PEOPLE IN MARINA DEL REY AND YOU'RE GOING TO MAKE
10 UP THE AGENDA AS YOU GO? I DON'T UNDERSTAND HOW THAT COULD BE
11 LAWFUL AND I'M HOPING THAT YOU GUYS COULD ASK THOSE TOUGH
12 QUESTIONS OF WHY THIS HAS HAPPENED. I'D LIKE TO SUBMIT THIS
13 EMAIL TO YOU, JUST TO REVIEW IN REGIONAL PLANNING AND WHAT HAS
14 HAPPENED HERE.

15

16 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. BYRON BOBBITT. YES.
17 DON SAXTON AND REVEREND TILLMAN.

18

19 **DON SAXTON:** HI. I AM DON SAXTON, I'M THE EXECUTIVE VICE
20 PRESIDENT FOR THE NATIONAL COALITION FOR MEN. MR. FINE HERE,
21 AND OTHERS HAVE TALKED ABOUT THE STURGEON CASE, WHICH REVEALED
22 ILLEGAL PAYMENTS TO JUDGES. I'D ASK YOU TO STOP SUPPORTING THE
23 L.A. SUPERIOR COURT. I SEE A LOT OF PEOPLE, A LOT OF PEOPLE
24 PER YEAR, HUNDREDS OF PEOPLE PER YEAR. A RECENT CASE SHOWED A
25 COUNTY WORKER MAKING DOMESTIC VIOLENCE ACCUSATIONS AGAINST ONE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 PERSON IN A CHILD CUSTODY CASE. AND THE EXPERIENCE SHOWED ME
2 THAT THERE IS A PROBLEM IN DISCONNECTING COURT AND COUNTY
3 FUNCTIONS IN A WAY THAT WILL MAKE BOTH OF THEM STRONGER. DOES
4 THAT MAKE SENSE? THANK GOD. THANK YOU.

5

6 **SUP. BURKE, CHAIR:** THANK YOU. NIMA JONES. REVEREND TILLMAN?

7

8 **REV. C.R. TILLMAN:** YES, MADAM CHAIR, THANK YOU VERY MUCH, AND
9 THE OTHER BOARD MEMBERS, ESPECIALLY MY SUPERVISOR, MICHAEL
10 ANTONOVICH IN HIS ABSENCE. I THANK YOU ONCE AGAIN FOR ALLOWING
11 ME TO COME BEFORE YOU IN THIS PRIVILEGE. I ALSO HONOR ALL THE
12 BRAVE MEN AND WOMEN WHO CAME BEFORE ME AND GAVE PUBLIC
13 COMMENT. AND I DON'T WANT TO SAY IT LIGHTLY, TAKE LIGHTLY OF
14 THAT. IT TAKES COURAGE TO COME UP HERE AND ADDRESS THE FIVE
15 MOST POWERFUL POLITICIANS ALMOST IN THE STATE OF CALIFORNIA.

16

17 **SPEAKER:** (OFF-MIKE) [LAUGHTER]

18

19 **REV. C.R. TILLMAN:** WELL, THAT MAY BE TRUE, BUT IN THE ABSENCE
20 -- I DO WANT TO BRING TO YOUR ATTENTION AGAIN THE PLIGHT OF
21 ALTADENA AND THE ISSUES THAT ARE STILL PREVALENT. FORMER
22 COUNCILMAN LAMB WROTE AN ARTICLE THAT'S IN THE LOCAL PASADENA
23 PAPER, MAYBE YOU MIGHT BE AWARE OF IT, THAT THE COALITION OF
24 COMMUNITY GROUP HAS CALLED ON THE F.B.I. OFFICE TO INVESTIGATE
25 ALLEGED ALLEGATIONS OF BRIBE, KICKBACKS, AND FRAUDULENT LOANS



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 IN ELECTIONS AND THINGS OF THAT SORT AND WE'RE STILL ASKING
2 THIS BOARD TO CONDUCT THEIR OWN INTERNAL INVESTIGATION OF WHY
3 THE PUBLIC WORKS DEPARTMENT AND THE REGIONAL PLANNING HAS HAD
4 EQUAL PROTECTION ISSUES IN REFERENCE TO SUPER KING, WHICH
5 WE'RE GLAD THAT WE HAVE NOW, AND ALSO FARM FRESH RANCH MARKET,
6 OF WHOM I'M A REPRESENTATIVE OF. SO WE ONCE AGAIN JUST ASK FOR
7 YOU TO INVESTIGATE THAT, AND IF BE NECESSARY, THERE MAY BE A
8 NEED FOR SOMEONE TO REPENT. AND IN HEBREW, IT MEANS T'SHUVAH,
9 OH T'SHUVAH, REPENT. AND IT STARTS WITH US, TOO. WE ALL HAVE
10 MADE ERRORS AND MAYBE HAVE LOOKED THE OTHER WAY FROM TIME TO
11 TIME UNDER THE EXPEDIENCY AND UNDER THE GREATER PURPOSE OF THE
12 GREATER GOOD. BUT I THINK THERE'S A LIMIT AND I THINK DORN AND
13 PLATZ HAS CROSSED THAT LIMIT, INCLUDING POSSIBLY THE C.D.C.,
14 AND I THANK YOU.

15

16 **NIMA JONES:** START?

17

18 **SUP. BURKE, CHAIR:** STATE YOUR NAME, PLEASE.

19

20 **NIMA JONES:** MY NAME IS NIMA JONES. BASICALLY I HAVE A COUPLE
21 OF ISSUES. I HAVE THREE CHILDREN THAT ARE QUOTE, UNQUOTE "IN
22 THE SYSTEM" OR IN CUSTODY WITH D.C.F.S. LAST YEAR, SEPTEMBER
23 THE 4TH, I BELIEVE IT WAS, THEY SAID NO REUNIFICATION, THE
24 JUDGE GRANTED NO REUNIFICATION. THEY SAID THAT I WAS
25 NONCOMPLIANT, I HAD DID A TOTAL OF FIVE PARENTING CLASSES, 13



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1 LICENSED THERAPY CLASSES, AND I HAD ALSO BEEN GOING TO OTHER
2 PLACES, TWO DIFFERENT COUNSELOR PLACES. ASIDE FROM THAT, WHEN
3 I TALKED TO MY ATTORNEYS, MY ATTORNEYS, RENALDA ESPINOZA, WHEN
4 I'VE TALKED TO HANS CHEN. A COUPLE OF DAYS AFTER THE JUDGE
5 GRANTED WHATEVER SHE GRANTED FOR ME OR WHATEVER, I FILED A
6 WRIT. THE WRIT, I HAVEN'T GOTTEN ANY TYPE OF RESPONSE ABOUT
7 IT, NO ONE HAS CALLED OR WROTE A LETTER OR ANYTHING. I'VE BEEN
8 BATTLING THIS FOR, LIKE, TWO YEARS, AND I JUST BASICALLY WANT
9 MY KIDS TO COME HOME, AND I'VE BEEN WRITING LETTERS AND
10 SUBMITTING EVERYTHING. I MEAN, I HAVE, LIKE, A STACK OF PAPERS
11 WITH PROBABLY 2,000 DIFFERENT THINGS THAT I'VE EITHER DONE,
12 DOCUMENTED, WHATEVER. AND, I MEAN, I DON'T WANT TO WASTE A LOT
13 OF TIME. IT'S JUST IF I GO ON ABOUT EACH STORY ON WHAT
14 HAPPENED, IT'S JUST A WHOLE LOT OF STUFF. I JUST BASICALLY
15 NEED SOMEONE TO EITHER INVESTIGATE OR HELP IN THE POSITION
16 THAT I'M IN.

17

18 **SUP. BURKE, CHAIR:** WHAT DISTRICT DO YOU LIVE IN?

19

20 **NIMA JONES:** I LIVE IN LONG BEACH.

21

22 **SUP. BURKE, CHAIR:** IN LONG BEACH? SOMEONE OVER HERE WILL HELP
23 YOU. RIGHT OVER HERE. THIS GENTLEMAN.

24

25 **NIMA JONES:** THANK YOU.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **CLERK SACHI HAMAI:** IN ACCORDANCE WITH BROWN ACT REQUIREMENTS,
3 NOTICE IS HEREBY GIVEN THAT THE BOARD OF SUPERVISORS WILL
4 CONVENE IN CLOSED SESSION TO DISCUSS ITEM NO. CS-1, CS-2, AND
5 CS-3, CONFERENCES WITH LEGAL COUNSEL REGARDING EXISTING
6 LITIGATION. ITEM NO. CS-4, CONFERENCE WITH LEGAL COUNSEL
7 REGARDING SIGNIFICANT EXPOSURE TO LITIGATION, ONE CASE. ITEM
8 NO. CS-5, CONSIDERATION OF DEPARTMENT HEAD PERFORMANCE
9 EVALUATION, AND ITEM NO. CS-6, CONFERENCE WITH LABOR
10 NEGOTIATORS WILLIAM T FUJIOKA AND DESIGNATED STAFF AS
11 INDICATED ON THE POSTED AGENDA. PLEASE NOTE THAT THE NEXT
12 REGULAR MEETING OF THE BOARD WILL BE NOVEMBER 5TH, 2008, AT
13 9:30 A.M. THANK YOU.

14

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**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 REPORT OF ACTION TAKEN IN CLOSED SESSION ON OCTOBER 28, 2008

2

3

4

5 No reportable action was taken on items CS-1, CS-2, CS-4, CS-5
6 or CS-6.

7

8 Item CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
9 (Subdivision (a) of Government Code Section 54956.9) Chan Hong
10 Park v. County of Los Angeles, et al., Los Angeles Superior
11 Court Case No. 343960. Pablo Balmontes, et al. v. County of
12 Los Angeles, Los Angeles Superior Case No. 334859.

13

14 These cases arise from an automobile accident involving a
15 County employee. (08-3104)

16

17 ACTION TAKEN: The Board authorized settlement of the lawsuit
18 titled Chan Hong Park v. County of Los Angeles, et al., and
19 Pablo Balmontes, et al. v. County of Los Angeles.

20

21 The substance of the settlement will be disclosed upon inquiry
22 by any person as soon as the settlement becomes final
23 following approval by all parties.

24

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 The vote of the Board was:

2

3 Ayes: Supervisors Yaroslavsky, Molina and Burke

4 Noes: None

5 Abstention: Supervisor Antonovich

6 Absent: Supervisor Knabe.

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**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 I, JENNIFER A. HINES, Certified Shorthand Reporter

2 Number 6029/RPR/CRR qualified in and for the State of
3 California, do hereby certify:

4 That the transcripts of proceedings recorded by the
5 Los Angeles County Board of Supervisors October 28, 2008

6 were thereafter transcribed into typewriting under my
7 direction and supervision;

8 That the transcript of recorded proceedings as
9 archived in the office of the reporter and which

10 have been provided to the Los Angeles County Board of
11 Supervisors as certified by me.

12 I further certify that I am neither counsel for, nor
13 related to any party to the said action; nor

14 in anywise interested in the outcome thereof.

15 IN WITNESS WHEREOF, I have hereunto set my hand this
16 31st day of October 2008 for the County records to be used
17 only for authentication purposes of duly certified transcripts
18 as on file of the office of the reporter.

19

20 JENNIFER A. HINES

21 CSR No. 6029/RPR/CRR

22

23

24

25